

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Motor Vehicles (Driving Licences) Law, 1963**

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(Registered on the Records of the Island of Guernsey  
on the 10th day of December, 1963.)

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1963.

**XVII**

**1963**

## ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 10th day of December, 1963, before Sir William Arnold, Kt., C.B.E., C. St. J., Bailiff; present :— Sir John Leale, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Albert Victor Dorey, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier and William Burton Fox, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 27th day of November, 1963, ratifying a *Projet de Loi* entitled "The Motor Vehicles (Driving Licences) Law, 1963", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

# At the Court at Buckingham Palace,

The 27th day of November, 1963.

PRESENT,

## The Queen's Most Excellent Majesty

LORD PRESIDENT

LORD CARRINGTON

LORD DRUMALBYN

MR. SECRETARY FRASER

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 8th day of November, 1963, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

- ‘ 1. That, in pursuance of their Resolution of the 27th day of June, 1962, the States of Deliberation at a meeting held on the 30th day of October, 1963, approved a Bill or “Projet de Loi” entitled “The Motor Vehicles (Driving Licences) Law, 1963” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.
2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey, entitled “The Motor Vehicles (Driving Licences) Law, 1963” and to order that the same shall have force of law in the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*W. G. Agnew.*



**Projet de Loi referred to in the foregoing  
Order in Council**

**PROJET DE LOI**

ENTITLED

**The Motor Vehicles (Driving Licences)  
Law, 1963**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of June, nineteen hundred and sixty-two, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. If it appears to the Board that there is reason to believe that a person who holds a driving licence is suffering from a disease or physical disability likely to cause the driving by him of a motor vehicle, being a vehicle of any such category as he is authorised by the licence to drive, to be a source of danger to the public, and on inquiry into the matter the Board is satisfied that he is suffering from such a disease or disability as aforesaid, then, whether or not he had previously passed a test for the purposes of obtaining the grant of a driving licence, the Board may, after giving him notice of its intention so to do, revoke the licence, and he shall, on receipt of the notice, deliver the driving licence to the Board for cancellation:

Power of  
Board to  
revoke  
driving  
licences.

PROVIDED that the holder of a driving licence may, except in the case of any such disease or disability as may, from time to time, be prescribed by Ordinance made in pursuance of the provisions of the Law of 1939, claim to be subjected to a test as to his

fitness or ability to drive a motor vehicle, and if he passes the test specified by the Board the driving licence shall not be revoked.

Appeal  
against  
revocation  
of a  
driving  
licence.

2. A person who is aggrieved by a decision of the Board to revoke a driving licence in pursuance of the provisions of the last preceding section may appeal from such decision to the Royal Court sitting as an Ordinary Court whose decision shall be final.

Saving for  
invalid  
carriages.

3. Nothing in any enactment contained, whether passed before or after the commencement of this Law, shall prevent the grant by the Board of a driving licence in respect of an invalid carriage in a case in which the Board is satisfied of the applicant's fitness or ability to drive such a carriage.

Amendment  
to principal  
Law.

4. (1) Immediately after category (6) of paragraph (a) of Article 10 of the principal Law there is hereby inserted the following additional category numbered "(7)"—

"(7) Autorisation de conduire un Automobile dit "invalid carriage". Cette autorisation ne sera accordée à une personne âgée de moins de dix-sept ans."

(2) In category (7) of paragraph (a) of Article 10 of the principal Law the expression "invalid carriage" means a mechanically propelled vehicle the weight of which unladen does not exceed seven hundredweight and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person.

Offences.

5. (1) Any person who, for the purposes of obtaining the grant or the renewal of a driving licence, knowingly makes a false statement or recklessly

makes a statement which is false in a material particular shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

(2) Any person who, with intent to deceive, forges or alters a driving licence shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

6. (1) In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

Interpreta-  
tion

“the Board” means the States Board of Administration;

“driving licence” has the same meaning as the expression “autorisation à conduire” has in the Law of 1939;

“the Law of 1939” means the Law entitled “Loi Supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939” registered on the seventeenth day of June, nineteen hundred and thirty-nine (a);

“motor vehicle” has the same meaning as the expression “automobile” has in the principal Law;

“the principal Law” means the Law entitled “Loi relative aux Automobiles” registered on the eleventh day of December, nineteen hundred and twenty-six (b).

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(a) Ordres en Conseil Vol. XI, p. 299.

(b) Ordres en Conseil Vol. VIII, p. 56.

(2) Any reference in this Law to any other enactment shall be construed as including a reference to that enactment as re-enacted, amended, extended or applied by or under any other enactment including this Law.

Citation.

7. This Law may be cited as the Motor Vehicles (Driving Licences) Law, 1963.

R. H. VIDELO,

Her Majesty's Greffier.