

Island of  Guernsey

Ordinance of the States

IX
1963

Made 24th April, 1963.
Came into Operation .. 24th April, 1963.

**The Motor Vehicles (International
Circulation) (Amendment) Ordinance,
1963.**

THE STATES, under and by virtue of the powers conferred upon them by section one of the Motor Vehicles (International Circulation) (Guernsey) Law, 1956(a), and Article 18 of the Law entitled "Loi relative aux Automobiles" registered on the eleventh day of December, nineteen hundred and twenty-six(b), hereby order:—

1. The Motor Vehicles (International Circulation) Ordinance, 1958 (hereinafter referred to as "the principal Ordinance") (c), is hereby amended as follows—

Amendment
to Ordinance
of 1958.

(a) subsection (1) of section two thereof is hereby repealed and the following subsection substituted therefor—

(a) Ordres en Conseil Vol. XVII, p. 19.
(b) Ordres en Conseil Vol. VIII, p. 56.
(c) Recueil d'Ordonnances Tome XII, p. 44.

“(1) Subject to the provisions of this section, it shall be lawful for a person resident outside this Island who is temporarily in this Island and holds—

(a) a Convention driving permit,
or

(b) a domestic driving permit issued in a country outside this Island, or

(c) a British Forces (BFG) driving licence,

during a period of twelve months from the date of his last entry into this Island to drive, and, except in the case of a holder of a British Forces (BFG) driving licence, be employed in driving, in this Island a vehicle of any class or description which he is authorised by that permit or that licence to drive, notwithstanding that he is not the holder of a driving licence under the provisions of the Auto Tax Law.”;

(b) in subsection (2) of section two thereof the words “ who holds ” are hereby repealed and the words “ who is temporarily in this Island and holds ” are hereby substituted therefor;

(c) in subsection (3) of section two thereof immediately after the words “ domestic driving permit ” there are hereby inserted the words “ or British Forces (BFG) driving licence ”;

- (d) section twelve thereof is hereby repealed and the following section substituted therefor—

“ 12. (1) A Permit shall not be granted for a period any part of which falls after the expiration of twelve months from the date on which the vehicle was last brought into this Island and shall not be granted to any person unless the Registration Authority is satisfied that that person is not principally resident in this Island.

(2) For the purposes of this section, a person shall be deemed to be not principally resident in this Island if, during the two years immediately preceding the date of importation of the vehicle, he has been present in this Island for less than a total of three hundred and sixty-five days.”;

- (e) subsection (1) of section twenty-three thereof is hereby amended as follows:—

- (i) immediately after the definition of the expression “ the Auto Tax Law ” there is hereby inserted the following additional definition—

“ “ British Forces (BFG) driving licence ” means a driving licence issued in Germany to members of the British Forces or of the civilian component thereof or to the dependants of such members by the British authorities in that country in such form and in accordance with such licensing system as may from time to time be approved by those authorities; ”;

(ii) immediately after the definition of the expression "the Convention of 1949" there is hereby inserted the following additional definition—

" "dependants" in relation to a member of the British Forces or of the civilian component thereof means any of the following persons, namely:—

(a) the wife or husband of that member; and

(b) any other person wholly or mainly maintained by him or in his custody, charge or care;"

(f) in the paragraph immediately following question 12 in the Third Schedule thereto all the words after the words "licence duty" down to and including the words "duty on goods" are hereby repealed and the words "to the payment of import duty (if any) and duty on goods; I declare that during the two years immediately preceding the date of importation of the Vehicle I have not been present in Guernsey for a total of three hundred and sixty-five days or more" are hereby substituted therefor and the words "current year" are hereby repealed and the words "twelve months preceding the date of importation of the Vehicle" are hereby substituted therefor.

Amendment
to Duty on
Goods Law.

2. Section two of the Duty on Goods Law, 1953(*d*), is hereby repealed and the following section substituted therefor—

(*d*) Ordres en Conseil Vol. XV, p. 504.

“ 2 (1) Subject to the provisions of the next succeeding subsection, where a motor vehicle is temporarily imported into Guernsey by a person making only a temporary stay therein and an International Circulation Permit is issued to that person under the provisions of Part II of the Motor Vehicles (International Circulation) Ordinance, 1958, as amended, the duty on goods imported shall not be chargeable thereon during the period for which such Permit is valid.

(2) If at any time after a motor vehicle has been imported into Guernsey as aforesaid an application is made for the vehicle to be licensed under the provisions of the Law entitled “Loi relative aux Automobiles” registered on the records of this Island on the eleventh day of December, nineteen hundred and twenty-six, as amended, the duty on goods imported chargeable in respect of that vehicle shall thereupon be paid by the person in whose name the application to license the vehicle is made and if the duty is not paid the vehicle shall not be so licensed.”.

3. In section (b) of Article I of the Law entitled “Loi relative aux Automobiles” registered on the Records of this Island on the eleventh day of December, nineteen hundred and twenty-six, the words “quatre vingt dix jours” are hereby repealed and the words “une année” are hereby substituted therefor. Amendment
to Auto Tax
Law.

4. Sections twenty and twenty-one of the principal Ordinance are hereby repealed. Repeals.

Interpreta-
tion.

5. Any reference in this Ordinance to any other enactment shall be construed as including a reference to that enactment as repealed and re-enacted, amended, extended or applied by or under any other enactment including this Ordinance.

Citation and
collective
title.

6. This Ordinance may be cited as the Motor Vehicles (International Circulation) (Amendment) Ordinance, 1963, and this Ordinance and the principal Ordinance may be cited together as the Motor Vehicles (International Circulation) Ordinances, 1958 and 1963.

R. H. VIDELO,
Her Majesty's Greffier.