

ORDER IN COUNCIL

XIX

ratifying a Projet de Loi

1957

ENTITLED

The Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957

(Registered on the Records of the Island of Guernsey
on the 26th day of October, 1957.)



1957.

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 26th day of October, 1957, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :— Sir John Leale, Arthur Falla, William Robert Freaque Clark, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx, Esquire, Wilfred John Corbet, Esquire, O.B.E., Bertram Guy Blampied and Claude Fortescue Nason, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 8th day of October, 1957, ratifying a *Projet de Loi* entitled "The Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957",—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.

At the Court at Buckingham Palace,

The 8th day of October, 1957.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

MR. SECRETARY HARE

MR. ORMSBY-GORE

MR. BROOKE

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 25th day of September, 1957, 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 29th day of May, 1957, the States of Deliberation at a meeting held on the 3rd day of July, 1957, approved a Bill or “Projet de Loi” entitled “The Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957” 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 (Taxation and Licensing) (Tractors) Law, 1957" and to order that the same shall have the 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 (Taxation and Licensing) (Tractors) Law, 1957

THE STATES, in pursuance of their Resolution of the twenty-ninth day of May, nineteen hundred and fifty-seven, 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. (1) In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“agricultural produce” includes animals, the carcasses of animals and animal products;

“agricultural tractor” means an agricultural tractor of a make and type for the time being approved as an agricultural tractor for the purposes of this Law by the Board on the recommendation of the States Committee for Agriculture and Fisheries and which is registered under the principal Laws in the name of a person engaged in agriculture;

“the Board” means the States Board of Administration;

“licence” has the same meaning as the expression “licence” has in the principal Laws;

“mechanically propelled vehicle” has the same meaning as the expression “automobile” has in the principal Laws;

“the principal Laws” means the Motor Vehicles (Taxation and Licensing) Laws, 1926 to 1956;

“tractor” means a tractor of a make and type for the time being approved by the Board as a tractor under and for the purposes of this Law.

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

2. Notwithstanding anything contained in the principal Laws, the annual rate of tax chargeable under those Laws in respect of a mechanically propelled vehicle being an agricultural tractor which is not used on public roads for hauling any objects except as follows, that is to say:—

- (a) for hauling its own necessary gear, threshing appliances, farming implements, supplies of water or fuel required for the purposes of the vehicle or for agricultural purposes;
- (b) for hauling the agricultural produce of, or articles required for the agricultural purposes of, the farm in the occupation of the person in whose name the vehicle is registered under the principal Law;

shall be one pound.

3. Notwithstanding anything contained in the principal Laws, the annual rate of tax chargeable under those Laws in respect of a mechanically propelled vehicle being a tractor which—

- (a) is not used on public roads except for proceeding to and from any place where it is to be used;

(b) when so proceeding neither carries nor hauls any load other than such as is necessary for its propulsion or equipment; shall not exceed six pounds.

4. (1) Where a licence has been taken out in respect of a mechanically propelled vehicle at any annual rate of tax under the principal Laws and the vehicle is, at any time while the licence is in force, used in an altered condition or in a manner or for a purpose which brings it within, or which if it was used solely in that condition or in that manner or for that purpose would bring it within, a class or description of mechanically propelled vehicle to which a higher rate of tax is applicable under the principal Laws, tax at that higher rate shall become chargeable in respect of the licence for the vehicle and the licence may be exchanged for a new licence for the period beginning with the date on which the higher rate of tax becomes chargeable and expiring at the end of the period for which the original licence was issued on payment of the difference between—

- (a) the amount payable under the principal Laws on a licence taken out for the said period at the previous rate of tax; and
- (b) the amount payable under the principal Laws on a licence taken out for the said period at the higher rate of tax.

(2) Where a licence has been taken out in respect of a mechanically propelled vehicle and, by virtue of such user as aforesaid, a higher rate of tax becomes chargeable and tax at the higher rate was not paid before the vehicle was so used, the person so using the vehicle shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding twenty pounds or three times the difference between the tax actually

paid on the licence and the amount of tax at that higher rate, whichever is the greater.

5. The Law entitled "Loi de 1948 amendant la Loi relative aux Automobiles" is hereby repealed.

6. (1) This Law may be cited as the Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957, and this Law, the Motor Vehicles (Taxation) (Amendment) Law, 1957, and the principal Laws may be cited together as the Motor Vehicles (Taxation and Licensing) Laws, 1926 to 1957.

(2) This Law shall come into force on the first day of January, nineteen hundred and fifty-eight.

JAMES E. LE PAGE,

Her Majesty's Greffier.