

ORDER IN COUNCIL

XXXI
1990

ratifying a Projet de Loi

ENTITLED

The Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 19th February, 1991.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of February, 1991 before Sir Charles Frossard, Kt., Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley, Kenneth John Rowe and Lawrence Oscar Ozanne, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 19th day of December, 1990, approving and ratifying a *Projet de Loi* of the States of Guernsey entitled "The Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990", 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 19th day of December 1990

PRESENT,

The Queen's Most Excellent Majesty in Council

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 7th day of December 1990 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 30th day of May 1990 the States of Deliberation at a meeting held on the 26th day of July 1990 approved a Bill or “Projet de Loi” entitled “The Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990”, 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 as 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 Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990”, and to order that the same should have force of law in the Island of Guernsey.’

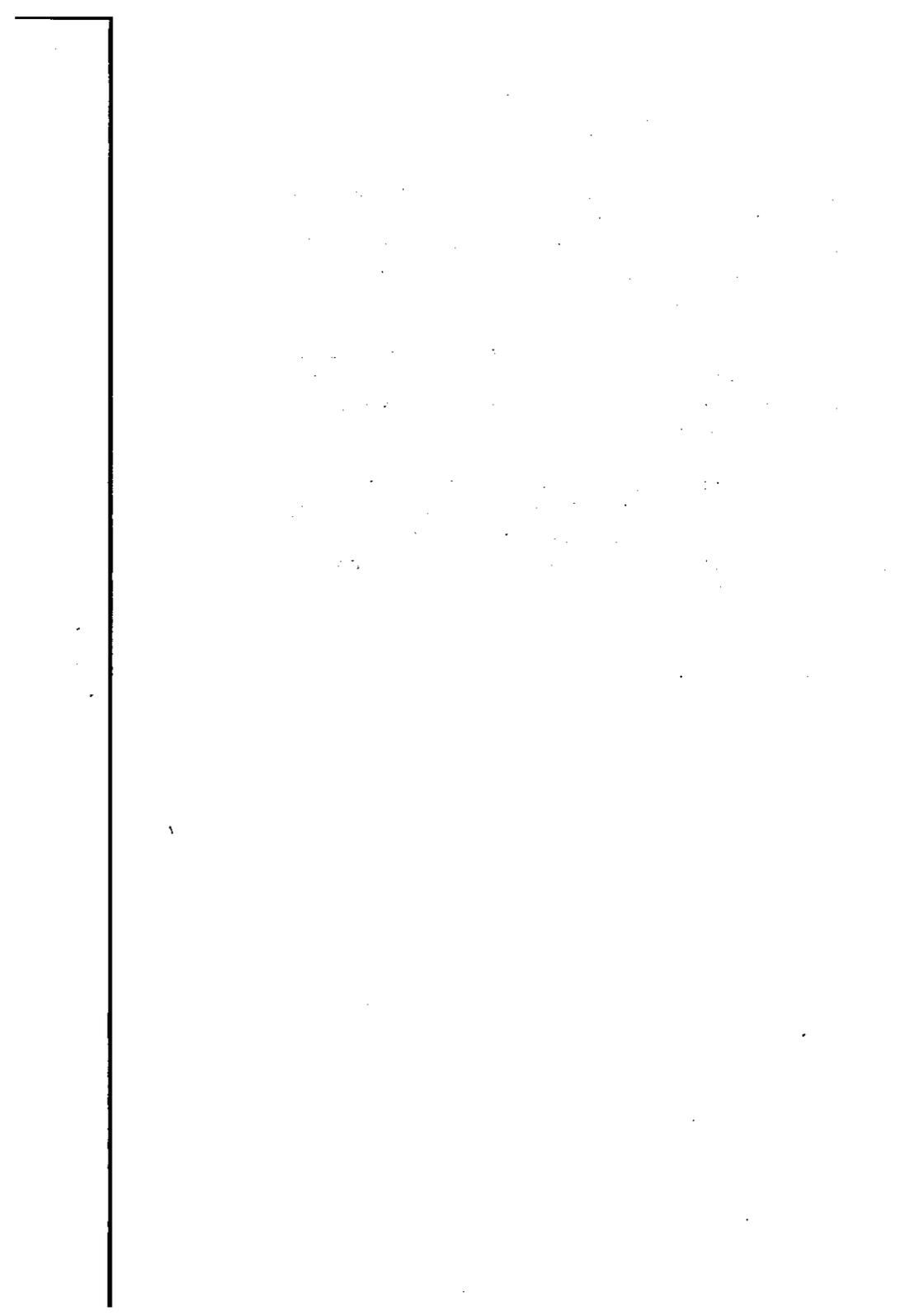
“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer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

G. I. de Deney



PROJET DE LOI

ENTITLED

The Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990

THE STATES, in pursuance of their Resolution of the 30th day of May, 1990, 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. Section 3 of the Road Traffic (Drink Driving) (Guernsey) Law, 1989(a) is amended as follows:— Amendment
to the Law of
1989.

- (a) in subsection (8), for the word "Of" there is substituted "Subject to subsection (8A), of";
- (b) Immediately after subsection (8) there is inserted—

"(8A) If the specimen with the lower proportion of alcohol contains no more than 50 microgrammes of alcohol in 100 millilitres of breath, or such other proportion as may be prescribed from time to time by Ordinance, the person who provided it may claim that it should be replaced by such specimen as may be required under subsection (5) and, if he then provides such a specimen, neither specimen of breath shall be used."

2. This Law may be cited as the Road Traffic (Drink Driving) (Amendment) (Guernsey) Law, 1990.

Citation.

(a) Ordres en Conseil No. XXVI of 1989.

K. H. TOUGH,
Her Majesty's Greffier.