

ORDER IN COUNCIL

III

ratifying a Projet de Loi

1968

ENTITLED

The Road Traffic (Removal of Vehicles) (Guernsey) Law, 1968

(Registered on the Records of the Island of Guernsey
on the 22nd day of April, 1968.)



1968.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of April, 1968, before Sir William Arnold, Kt., C.B.E., C. St. J., Bailiff; present :— 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, William Burton Fox, Esquires, and Edward James Lainé, Esquire, C.B.E., D.F.C., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 22nd day of March, 1968, ratifying a Projet de Loi entitled "The Road Traffic (Removal of Vehicles) (Guernsey) Law, 1968", 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 22nd day of March 1968

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT
MR SECRETARY STEWART
SIR ELWYN JONES
MR MARSH

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 5th day of March 1968, 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 July, 1964, the States of Deliberation at a meeting held on the 29th day of November, 1967, approved a Bill or “Projet de Loi” entitled “The Road Traffic (Removal of Vehicles) (Guernsey) Law, 1968” 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 Road Traffic (Removal of Vehicles) (Guernsey) Law, 1968" and to order that the same shall have force of law in the Island of Guernsey'

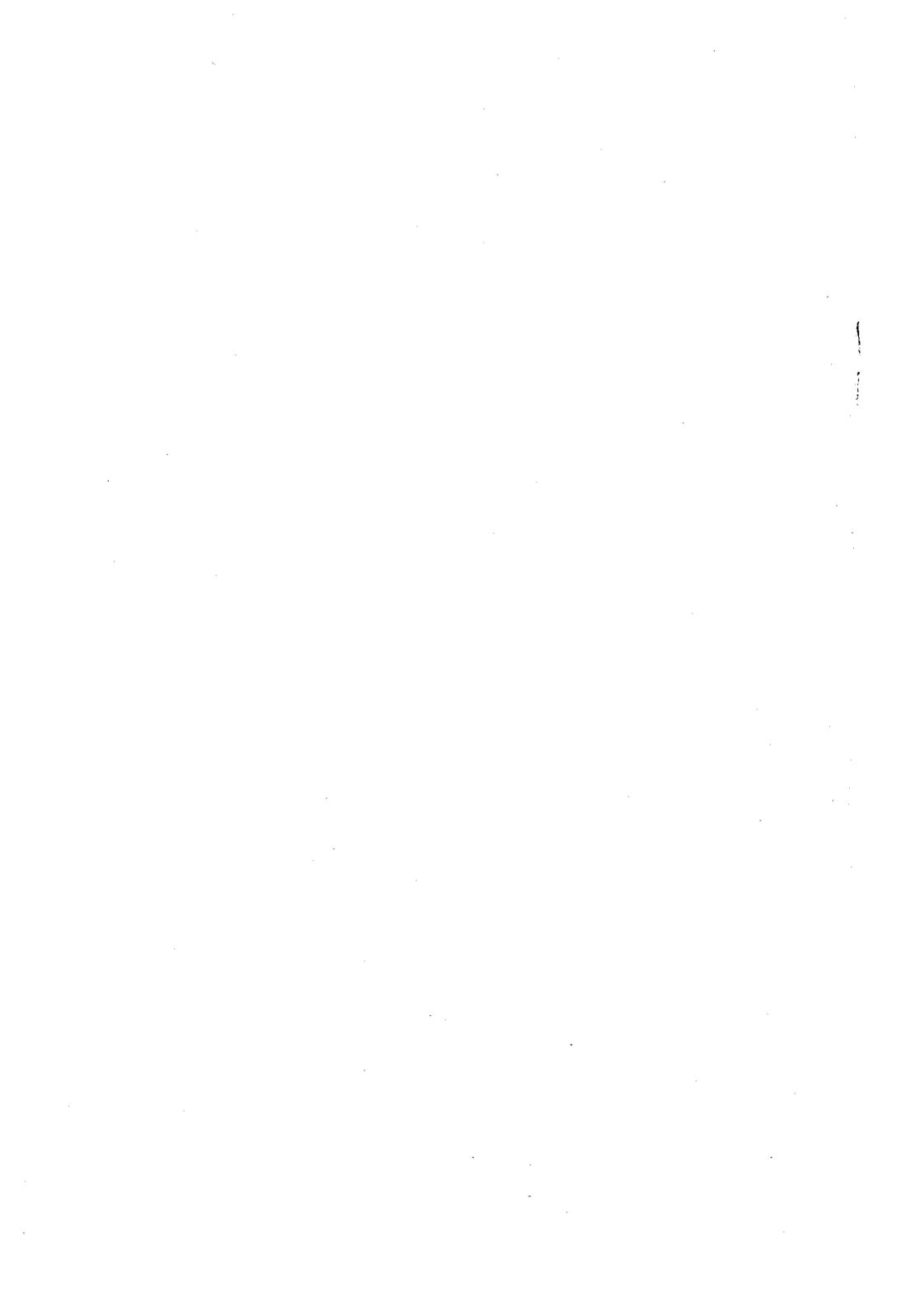
"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty that it may be advisable for Your Majesty to comply with the prayer 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 Road Traffic (Removal of Vehicles) (Guernsey) Law, 1968

THE STATES, in pursuance of their Resolution of the twenty-ninth day of July, nineteen hundred and sixty-four, 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) The States may from time to time by Ordinance make provision—
- (a) for the removal from a public highway, and safe custody, or for the moving from one position on a public highway to another position on that or another public highway, of, and of the loads carried by, motor vehicles which have been permitted to remain at rest on a public highway—
- (i) in contravention of any enactment, or
- (ii) in such position or in such condition or in such circumstances as to cause obstruction to other persons using the public highway or as to be likely to cause danger to such other persons, or
- (iii) in such position or in such condition or in such circumstances as to appear to have been abandoned,
- or which have broken down;
- Power to make Ordinances about removal and disposal of vehicles left or abandoned on roads.

- (b) for authorising the Committee, if it appears to it that a motor vehicle has been abandoned, to sell or otherwise dispose of it;
- (c) for authorising the application of the proceeds of a sale by the Committee of the motor vehicle in or towards satisfaction of any costs incurred by the Committee in connection with the removal, storage and disposal thereof;
- (d) for recouping the Committee any such costs as aforesaid so far as not satisfied by virtue of the last foregoing paragraph;
- (e) for regulating the disposal of any sums received by the Committee on a sale of the motor vehicle, after deducting any sum applied thereout by virtue of paragraph (c) of this section.

(2) Different provisions may be made under this section with respect to motor vehicles of different classes or descriptions or with respect to motor vehicles of the same class or description in different circumstances.

Variation
and repeal of
Ordinances.

2. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance.

Offences.

3. Save as otherwise expressly provided by that Ordinance, any person who contravenes or attempts to contravene or fails to comply with any of the provisions of any Ordinance made under this Law or any direction given or requirement imposed under or by virtue of that Ordinance shall be guilty of an offence under that Ordinance.

4. The States may from time to time by Ordinance Penalties.
 prescribe the penalties which shall be incurred by
 any person guilty of any offence under any Ordinance
 made under this Law and different penalties may be
 so prescribed for different offences.

5. In this Law, unless the context otherwise Interpreta-
tion.
 requires, the following expressions have the meanings
 hereby respectively assigned to them, that is to say—

“the Committee” means the Island Police Com-
 mittee;

“public highway” includes any road, street, lane
 or public place;

“motor vehicle” means a mechanically propelled
 vehicle intended or adapted for use on a public
 highway.

6. (1) This Law may be cited as the Road Traffic Citation and
commence-
ment.
 (Removal of Vehicles) (Guernsey) Law, 1968.

(2) This Law shall come into force on such day
 as the States may by Ordinance appoint.

R. H. VIDELO,

Her Majesty's Greffier.