

ORDER IN COUNCIL

IV
1970

ratifying a Projet de Loi

ENTITLED

The Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970

(Registered on the Records of the Island of Guernsey
on the 2nd day of June, 1970.)



1970.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 2nd day of June, 1970, before Sir William Arnold, Kt., C.B.E., Bailiff; present :—Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Albert Victor Dorey, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, Jean Le Pelley and Walter Francis Robin, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order dated the 28th day of April, 1970, of the Counsellors of State in Council on behalf of Her Majesty, being authorised thereto by Letters Patent dated the 27th day of February, 1970, ratifying a *Projet de Loi* entitled "The Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970", 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 of Saint James

The 28th day of April 1970

PRESENT,

**Her Majesty Queen Elizabeth the Queen
Mother**

**His Royal Highness the Prince Charles,
Prince of Wales**

LORD PRESIDENT

LORD BROWN

SIR ELWYN JONES

MR HUGHES

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 27th day of February 1970, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness The Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, His Royal Highness The Prince Charles, Prince of Wales, Her Royal Highness The Princess Margaret, Countess of Snowdon, His Royal Highness The Duke of Gloucester and His Royal Highness Prince William of Gloucester, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND WHEREAS Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness The Prince Philip, Duke of Edinburgh, His Royal Highness The

Prince Charles, Prince of Wales, Her Royal Highness The Princess Margaret, Countess of Snowdon, and His Royal Highness Prince William of Gloucester while absent from the United Kingdom:

AND 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 20th day of April 1970, 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 Resolutions of the 26th day of November and of the 17th day of December 1969 the States of Deliberation at a meeting held on the 28th day of January 1970 approved a Bill or “Projet de Loi” entitled “The Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970” 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 Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970” 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.”

NOW, THEREFORE, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorized thereto by the said Letters Patent, have taken the said Report into consideration, and do hereby, by and with the advice of Her Majesty’s Privy Council, on Her Majesty’s behalf approve of and ratify the said Projet de Loi, and order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND do 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.

N. E. Leigh.

Projet de Loi referred to in the foregoing
Order in Council

PROJET DE LOI

ENTITLED

The Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970

THE STATES, in pursuance of their Resolutions of the twenty-sixth day of November, and of the seventeenth day of December, nineteen hundred and sixty-nine, 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. The Unlawful User of Vehicles Law, 1930^(a), is hereby amended as follows:—

Amend-
ments to
Law of 1930.

- (a) in subsection (1) of section two—
- (i) immediately after the words “lawful authority” where they first occur there are inserted the words “or knowing that a motor vehicle has been so taken drives it or allows himself to be carried in or on it without such consent or authority”;
 - (ii) the words “with or without hard labour” on both occasions where they occur are repealed; and
 - (iii) in the marginal note thereto there are inserted immediately after the words “driving away” the words “or being carried in”;

(a) Ordres en Conseil Vol. IX, p. 8.

(b) in section three—

- (i) the words “a parking place” are repealed and the words “or in any place whatsoever” substituted therefor;
- (ii) the words “with or without hard labour” are repealed; and
- (iii) in the marginal note thereto the words “on a road or parking place” are repealed;

(c) immediately after section five there is inserted a new section six and a marginal note as follows:—

“Attempts. 6. (1) Every person who attempts to commit an offence punishable under this Law shall be guilty of an offence and liable, on conviction, to such term of imprisonment or fine or to such term of imprisonment and fine as the Court may deem just:

Provided that as respects any attempt to commit an offence the Court may not impose any punishment exceeding that which the Court might have imposed if the offence had been completed.

(2) If on the trial of any person charged with any offence under this Law it appears to the Court upon the evidence that the person so charged did not complete the offence charged but that he was guilty of an attempt to commit the same the Court may find him not guilty of the offence

charged but guilty of the attempt to commit the same and he shall thereupon be liable to be punished accordingly.”; and,

- (d) section six thereof is renumbered as section seven.

2. (1) This Law may be cited as the Unlawful User of Vehicles (Amendment) (Guernsey) Law, 1970. Citation and collective title.

(2) This Law and the Unlawful User of Vehicles Law, 1930, may be cited together as the Unlawful User of Vehicles (Guernsey) Laws, 1930 and 1970.

R. H. VIDELO,

Her Majesty's Greffier.