

# PROJET DE LOI

ENTITLED

## **The Vehicular Traffic (Causing Death by Driving) Law, 1957 \***

[CONSOLIDATED TEXT]

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

© States of Guernsey

---

\* Ordres en Conseil Vol. XVII, p. 279; as amended by the Vehicular Traffic (Causing Death by Driving) (Guernsey) (Amendment) Law, 2006 (No. I of 2007). See also the: Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 512); Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003 (No. XXIII of 2003, Ordres en Conseil Vol. XLIII(2), p. 617). This Law is prospectively repealed by the Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025 (No. \*\* of 2025).

# PROJET DE LOI

ENTITLED

## **The Vehicular Traffic (Causing Death by Driving) Law, 1957**

ARRANGEMENT OF SECTIONS

1. Penalty for causing death by driving.
2. Definitions.

# PROJET DE LOI

ENTITLED

## **The Vehicular Traffic (Causing Death by Driving) 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.

### **Penalty for causing death by driving.**

1. (1) Any person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding [14] years or to a fine or to both such term of imprisonment and a fine.

(2) If, upon the trial of a person for an offence against the last preceding subsection, the court is not satisfied that his driving was the cause of the death but is satisfied that he is guilty of driving as mentioned in the last preceding subsection it shall be lawful for the court to convict him of and to punish him for an offence under the provisions of any enactment, for the time being in force, which makes such driving an offence.

---

### **NOTES**

*In section 1, the figures in square brackets in subsection (1) were substituted by the Vehicular Traffic (Causing Death by Driving) (Guernsey) (Amendment) Law, 2006, section 1, with effect from 14th December, 2006.*

*In accordance with the provisions of the Road Traffic (Drink Driving) (Guernsey) Law, 1989, section 2A(7), Schedule, with effect from 11th February, 2004, offences under this Law constitute "traffic offences" for the purposes of the 1989 Law.*

*In accordance with the provisions of the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003, section 90(2)(b), Schedule 4, Part II, paragraph 7, with effect from 5th April, 2004, offences under this section are always serious arrestable offences for the purposes of the 2003 Law.*

---

### **Definitions.**

2. For the purposes of this Law the following expressions have the meanings hereby respectively assigned to them—

**"road"** means any highway and any other road to which the public has access,

**"motor vehicle"** means a mechanically propelled vehicle intended or adapted for use on a road.

---

### **NOTE**

*The Law received Royal Sanction on 27th November, 1957 and was registered on the Records of the Island of Guernsey and came into force on 28th December, 1957.*

---