

# ORDINANCE OF THE CHIEF PLEAS OF SARK

ENTITLED

## **The Road Traffic (Tractors and Invalid Carriages) (Sark) Ordinance, 1967 \***

[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 the Greffier, La Chasse Marette, Sark, GY10 1SF.*

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\* As amended by the Uniform Scale of Fines (Sark) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 320); the Invalid Carriages (Sark) (Amendment) Law, 2006 (No. IV of 2007); the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1970; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1974; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1983; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1988; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2002; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2008; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2010; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) (No. 2) Ordinance, 2010; the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2012. See also the Police Force (Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207); the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1975. This Ordinance was repealed by the Motor Vehicles (Sark) Law, 2013 (No. \*\* of 2013).

# ORDINANCE OF THE CHIEF PLEAS OF SARK

ENTITLED

## **The Road Traffic (Tractors and Invalid Carriages) (Sark) Ordinance, 1967**

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*(Approved by Chief Pleas on 28th November, 1967.)*

## **The Road Traffic (Tractors and Invalid Carriages) (Sark) Ordinance, 1967**

**THE CHIEF PLEAS OF SARK**, in pursuance of the provisions of subsection (1) of section eight of the Reform (Sark) Law, 1951, and in pursuance of their Resolution of the fifth day of October, nineteen hundred and sixty-six, and of all other powers enabling them in that behalf, hereby order: –

### **PART I**

#### **RESTRICTIONS ON USE OF VEHICLES AND LICENCES TO DRIVE TRACTORS AND INVALID CARRIAGES**

##### **Restrictions on use of vehicles.**

**1.** [(1)] Subject to the provisions of this Ordinance, a person shall not drive or attempt to drive a vehicle other than –

- (a) an invalid carriage, or
- (b) a tractor of such size and power as may from time to time be prescribed,

on or along any of the public roads.

[(2)] Nothing in the last preceding section shall prohibit the use on or along any of the public roads –

- [(a)] of a roller or other road repairing machine, a mobile

crane or a fork lift truck by a servant or agent of the Chief Pleas,]

- (b) of a self-propelling horticultural machine with or without a trailer by any person if that person is walking near but not seated upon the vehicle.]

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**NOTES**

*In section 1,*

*subsection (1) was renumbered and subsection (2) was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1970, section 1, with effect from 30th September, 1970;*

*paragraph (a) of subsection (2) was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1983, section 1(a), with effect from 19th January, 1983.*

*In accordance with the provisions of the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1970, section 2(2), with effect from 30th September, 1970, this Ordinance may, when cited together with the 1970 Ordinance, be cited as the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinances, 1967 and 1970.*

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**Licences to drive tractors.**

2. (1) Subject to the provisions of subsection (6) of this section, a person shall not drive or attempt to drive a tractor on or along any of the public roads unless he holds a licence granted under the provisions of the next succeeding subsection and a person shall not employ any person to drive a tractor on or along any of the public roads unless the person so employed holds such a licence.

(2) Subject to the provisions of subsection (5) of this section, the Constable, on application being made to him in that behalf, may grant to the applicant therefor a licence to drive a tractor on the public roads (hereinafter

referred to as '**a tractor driving licence**') subject to such conditions as he may deem necessary or expedient to impose.

(3) Unless the holder thereof is disqualified under the provisions of section eighteen of this Ordinance, a tractor driving licence granted under the provisions of the last preceding subsection shall be valid until the thirty-first day of December next following the date of such grant and thereafter, upon being renewed in pursuance of the provisions of the next succeeding subsection, shall be valid during the period commencing on the first day of January in any year and ending on the thirty-first day of December next following, both dates inclusive.

(4) Subject to the provisions of the next succeeding subsection, a tractor driving licence granted under the provisions of subsection (2) of this section may be renewed for any year by the Constable upon an application being made to him in that behalf on or before the thirty-first day of December of the year next preceding.

(5) The Constable shall not grant or renew a tractor driving licence –

(a) unless the applicant thereof is aged sixteen years or more,

(b) if the Constable has reasonable grounds for believing that the applicant thereof is not a fit and proper person to drive a tractor.

(6) For the purpose of enabling an applicant for the grant of a tractor driving licence to learn to drive a tractor with a view to passing such test of competency to drive or test of fitness to drive as the Constable may require, the

Constable may, if so requested by him, grant him a provisional licence to drive a tractor on the public roads (hereinafter referred to as "**a provisional tractor driving licence**") which licence shall remain in force for a period of three months.

(7) A provisional tractor driving licence granted in pursuance of the provisions of the last preceding subsection shall be in such form as the Constable may determine and shall be subject to such conditions as he may deem necessary or expedient.

**[Amount of licence tax.]**

2A. (1) There shall be chargeable in respect of the grant or renewal of a tractor driving licence under the provisions of subsection (2) or subsection (4) of the last preceding section, as the case may be, the tax specified in subsection (3) or subsection (4) of this section, as the case may be.

(2) The tax chargeable under the provisions of the last preceding subsection shall be paid to the Constable upon the grant or renewal of a tractor driving licence under the provisions of subsection (2) or subsection (4) of the last preceding subsection, as the case may be.

(3) Subject to the provisions of the next succeeding subsection, the tax chargeable under the provisions of this section in respect of the grant or renewal of a tractor driving licence shall be such amount not exceeding [£20] as may be prescribed.

(4) In the case where an application for the grant of a tractor driving licence is made on or after the first day of July in any year the tax chargeable under the provisions of this section in respect of such grant shall be such amount not exceeding [£10] as may be prescribed.]

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**NOTES**

*Section 2A was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1983, section 1(b), with effect from 19th January, 1983.*

*In section 2A, the figures and symbols in square brackets in subsection (3) and subsection (4) were substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) (No. 2) Ordinance, 2010, respectively section 1(a) and section 1(b), with effect from 1st January, 2011.<sup>1</sup>*

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**Licences to drive invalid carriages.**

3. (1) Subject to the provisions of subsection (6) of this section, a person shall not drive or attempt to drive an invalid carriage on or along any of the public roads unless he holds a licence granted under the provisions of the next succeeding subsection.

(2) Subject to the provisions of subsection (5) of this section, the Committee, on application being made to it in that behalf, may grant to the applicant therefor a licence to drive an invalid carriage on the public roads (hereinafter referred to as "**an invalid carriage driving licence**") subject to such conditions as the Committee may deem necessary or expedient to impose.

(3) Unless the holder thereof is disqualified under the provisions of section eighteen of this Ordinance, an invalid carriage driving licence granted under the provisions of the last preceding subsection shall be valid until the thirty-first day of December next following the date of such grant and thereafter, upon being renewed in pursuance of the provisions of the next succeeding subsection, shall be valid during the period commencing on the first day of January in any year and ending on the thirty-first day of December next following, both dates inclusive.

(4) Subject to the provisions of the next succeeding subsection, an

invalid carriage driving licence granted under the provisions of subsection (2) of this section may be renewed for any year by the Committee upon an application being made to it in that behalf on or before the thirty-first day of December of the year next preceding.

(5) The Committee shall not grant or renew an invalid carriage driving licence unless –

(a) the applicant therefor was examined by the Island Medical Officer [or a medical practitioner recognised by the Committee] within the twenty-eight days next preceding the date of the making of the application for such grant or renewal and produces a certificate signed by the said Medical Officer [or medical practitioner] certifying –

(i) that the applicant was so examined, the date of such examination and that the applicant is suffering from some physical defect or disability and specifying the nature and extent of that defect or disability,

(ii) that, in his opinion, the physical defect or disability of the applicant is not such as would, of itself, prevent him from exercising complete control over an invalid carriage, and

(b) the Committee is satisfied that it is necessary or desirable in the interest of the applicant or for his well being that he should be permitted to use an invalid

carriage[.]

(c) ...

(6) For the purpose of enabling an applicant for the grant of an invalid carriage driving licence to learn to drive an invalid carriage with a view to passing such test of competency to drive or test of fitness to drive as the Committee may require, the Committee may, if so requested by him, grant him a provisional licence to drive an invalid carriage on the public roads (hereinafter referred to as "**a provisional invalid carriage driving licence**") which licence shall remain in force for a period of three months.

(7) A provisional invalid carriage driving licence granted in pursuance of the provisions of the last preceding subsection shall be in such form as the Committee may determine and shall be subject to such conditions as it may deem necessary or expedient.

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**NOTE**

*In section 3, first, the words in the first and second pairs of square brackets in paragraph (a) of subsection (3) were inserted, second the punctuation in square brackets in paragraph (b) thereof was substituted and, third, paragraph (c) thereof was repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2010, respectively section 1(a)(i) and section 1(a)(ii), section 1(b) and section 1(c), with effect from 15th April, 2010.*

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PART II

DRIVING OFFENCES, RESTRICTIONS ON DRIVING, MISCELLANEOUS  
TRAFFIC PROVISIONS AND INSPECTION OF VEHICLES

**Dangerous and reckless driving.**

4. A person shall not drive a tractor or an invalid carriage on or along any of the public roads 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, conditions 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.

**Careless driving.**

5. A person shall not drive a tractor or an invalid carriage on or along any of the public roads without due care and attention or without reasonable consideration for other persons using the road.

**[Speed limits and over-taking.**

6. (1) A person shall not drive a tractor or an invalid carriage on or along any of the public roads at a speed exceeding ten miles per hour.

(2) A person being in charge of a tractor or an invalid carriage shall not overtake any other tractor or invalid carriage on such of the public roads or any part thereof as may, from time to time, be specified by the Committee by [regulations] during such hours on any day as may be specified in any such [regulations]:

Provided that nothing in this subsection shall prohibit the overtaking of a stationary vehicle or the overtaking of a vehicle when it is necessary so to do in order to avoid an accident or for the purpose of complying with a direction given by the Constable, [...] or any Police Officer.]

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**NOTES**

*Section 6 was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972, section 1(a), with effect from 5th April, 1972.*

*In section 6,*

*the words in the first and second pairs of square brackets were substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2012, section 1(a), with effect from 18th April, 2012;*

*the words omitted in the third pair of square brackets were repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(a), with effect from 16th January, 1980.*

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**Restricted roads, restricted hours, one-way streets and Sunday driving.**

7. (1) A person shall not on any day during the period commencing on the first day of April and ending on the thirtieth day of September, both dates inclusive, in any year, drive or attempt to drive a tractor on or along any of the public roads between La Collenette and La Maseline Harbour or Creux Harbour between ten forty-five and eleven thirty o'clock in the forenoon.

(2) The period of the forenoon referred to in the last preceding subsection may, from time to time, be varied [by the Committee by [regulations]].

(3) A person shall not, otherwise than for agricultural purposes and with the consent in writing of the Constable [...], drive or attempt to drive a tractor on or along any of the public roads during the period commencing at ten o'clock in the evening on any day and ending at six o'clock in the forenoon of the day next following.

[(4) A person shall not drive or attempt to drive a tractor on or

along such of the public roads or any part thereof as may, from time to time, be specified by the Committee by [regulations] otherwise than –

- (a) in such direction, and
- (b) during such hours on any day,

as may be specified therein.

(5) Except as otherwise directed in an emergency by the Constable, a person being in charge of a tractor shall not drive or attempt to drive that tractor or cause or permit it to remain on the jetty of La Maseline Harbour [or the jetty of Creux Harbour, or anywhere in the area between those harbours extending up Harbour Hill and ending in a parallel line with the most western end of the water tanks situated on the south side of Harbour Hill,] otherwise than in compliance with such directions as may, from time to time, be prescribed by the Committee by [regulations].]

(6) A person shall not without the permission in writing of the Constable [...] drive or attempt to drive a tractor on or along any of the public roads on a Sunday.

(7) Nothing in this section contained shall apply to a tractor hauling an ambulance or a fire appliance.

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**NOTES**

*In section 7,*

*the words in square brackets in subsection (2) were substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark)*

*Ordinance, 1972, section 1(b), with effect from 5th April, 1972;*

*the word "regulations" in square brackets, wherever occurring, was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2012, section 1(b), with effect from 18th April, 2012;*

*the words omitted in square brackets in subsection (3) and subsection (6) were repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, respectively section 1(b) and section 1(c), with effect from 16th January, 1980;*

*subsection (4) and subsection (5) were substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972, section 1(c), with effect from 5th April, 1972;*

*the words in square brackets in subsection (5) were inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2008, section 1, with effect from 17th January, 2008.*

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**[Exemption of tractors used by Constable etc.**

**7A.** Nothing in section six or section seven of this Ordinance shall apply to the Constable, [...] or a Police Officer while driving a tractor for the purposes of any of their duties as Constable, [...] or a Police Officer if the observance of the provisions of those sections would be likely to hinder the use of the tractor for the purpose for which it is being used.]

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**NOTES**

*Section 7A was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972, section 1(d), with effect from 5th April, 1972.*

*In section 7A, the words omitted in the first and second pairs of square brackets were repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(d), with effect from 16th January, 1980.*

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**Damage to property.**

8. A person shall not so drive a tractor or an invalid carriage on or along any of the public roads as to wilfully or negligently damage any wall, railing or palisade, door, post or bar bordering that public road or any tree, shrub, plant or any moveable or immovable property of others.

**Keep left rule and obstruction.**

9. (1) A person being in charge of a tractor or an invalid carriage on any of the public roads shall, when meeting any vehicle or horse or other animal proceeding in the opposite direction or when being overtaken by any vehicle or horse or other animal, keep to the left-hand or near side of the road.

(2) A person being in charge of a tractor or an invalid carriage on any of the public roads shall not obstruct or impede the free passage of the road.

**Lamps to be fitted to front and rear of vehicles, and parking lights.**

10. (1) A person shall not, during the hours of darkness, drive or attempt to drive a tractor or an invalid carriage on or along any of the public roads unless there are fitted in a conspicuous position to that tractor or invalid carriage two lamps each showing to the front a white light visible from a reasonable distance ahead and one of which is placed on the right front and the other on the left front of the tractor or the invalid carriage, as the case may be [and two lamps each showing to the rear a red light visible from a reasonable distance behind and one of which is placed on the right rear and the other on the left rear of the tractor or invalid carriage, as the case may be:]

[Provided that in the case of an invalid carriage which is a bicycle or tricycle the requirements of this section shall be satisfied if there is fitted one such lamp to the front and one such lamp to the rear of the invalid carriage].

(2) A person shall not, during the hours of darkness, park any tractor or invalid carriage unattended on any of the public roads unless there is fitted in a conspicuous position to that tractor or invalid carriage a lamp showing to the front a white light visible from a reasonable distance ahead [and a lamp showing to the rear a red light visible from a reasonable distance behind].

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**NOTES**

*In section 10,*

*the words in the first and third pairs of square brackets were inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1988, respectively section 1(a) and section 1(b), with effect from 5th October, 1988;*

*the Proviso in the second pair of square brackets was inserted by the Invalid Carriages (Sark) (Amendment) Law, 2006, section 2(a), with effect from 19th February, 2007.*

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**Brakes.**

11. (1) A person shall not drive or attempt to drive a tractor on or along any of the public roads unless that tractor is fitted with an adequate braking system sufficient under the most adverse conditions to bring to rest within a reasonable distance the tractor and any object, trailer or machinery being or intended to be hauled by the tractor.

(2) A person shall not drive or attempt to drive an invalid carriage on or along any of the public roads unless the invalid carriage is fitted with an adequate braking system sufficient under the most adverse conditions to bring to rest within a reasonable distance the invalid carriage.

**Examination of tractor by the Constable.**

12. (1) The Constable may at any time on any of the public roads and

with or without technical assistance examine any tractor to ascertain whether in his opinion the tractor complies with the requirements of this Ordinance as to the lamps to be carried and the braking system to be fitted and whether the engine compression, the tyres and the trailer hitch attachment are efficient having due regard to the interests of public safety.

(2) Where after any examination as aforesaid of a tractor the Constable is satisfied that the lamps or braking system do not comply as aforesaid or that the engine compression or the tyres or the trailer hitch attachment are not as efficient as aforesaid, the Court may, without prejudice to the infliction of any penalty, on the application of the Constable suspend the tractor licence in respect thereof until such time as the lamps or braking system so comply or the engine compression, the tyres and the trailer hitch attachment are so efficient.

**Examination of invalid carriages by Constable.**

13. (1) The Constable may at any time on any of the public roads and with or without technical assistance examine any invalid carriage to ascertain whether in his opinion the invalid carriage complies with the requirements of this Ordinance as to the lamps to be carried and the braking system to be fitted and whether the tyres are efficient having due regard to the interests of public safety.

(2) Where after any examination as aforesaid of an invalid carriage the Constable is satisfied that the lamps or braking system do not comply as aforesaid or that the tyres are not as efficient as aforesaid the Court may, without prejudice to the infliction of any penalty, on the application of the Constable suspend the invalid carriage licence in respect thereof until such time as the lamps or braking system so comply or the tyres are so efficient.

PART III  
CONVEYANCE OF PASSENGERS

**Conveyance of passengers on tractors.**

14. (1) Subject to the provisions of subsection (3) of this section a person, being in charge of a tractor, shall not carry or attempt to carry any passenger on that tractor, except one person carried for the purpose of assisting in loading or unloading, on or along any of the public roads other than on the public roads between La Collenette and La Maseline Harbour or Creux Harbour in accordance with the provisions of the next succeeding subsection.

(2) A person, being in charge of a tractor, shall not carry or attempt to carry more than ten passengers on that tractor, being non-fare paying passengers, including a person carried for the purpose of assisting in loading or unloading, on or along any of the public roads between the crossroads at La Collenette and La Maseline Harbour or Creux Harbour.

[(3) The provisions of subsections (1) and (2) of this section shall not apply to a person being in charge of –

- (a) a tractor hauling an ambulance or a fire appliance, or
- (b) a tractor carrying passengers for agricultural purposes if the consent of the Constable [...] in that behalf is obtained in respect of each day on which the tractor is carrying passengers, or
- (c) a tractor carrying fare-paying passengers in connection with the operation of any public transport service which may, from time to time, be approved by

Resolution of the Chief Pleas in pursuance of the provisions of sub-paragraph (ii) of paragraph (a) of section five of the Tractors (Sark) Law, 1974.]

(4) The number of passengers which a tractor is permitted to carry under the provisions of subsection (2) of this section may be increased to the extent that any child who appears to the person in charge of the tractor to be under the age of five years may not be counted as a passenger and every three children who appear to the said person to be over the said age of five years but under the age of fourteen years may be counted as being equivalent to two passengers.

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**NOTES**

*In section 14,*

*subsection (3) was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1974, section 1(a) (as amended by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1975, section 1, with effect from 2nd April, 1975), with effect from 1st December, 1974;*

*the words omitted in square brackets in paragraph (b) of subsection (3) were repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(e), with effect from 16th January, 1980.*

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**PART IV**  
**APPEALS**

**Appeals.**

- 15.** An appeal shall lie to the Court against a decision –
- (a) of the Constable to refuse to grant or renew a tractor driving licence or against any condition attached to the

grant of such licence on the grounds that the decision of the Constable was an unreasonable exercise of his powers, or

- (b) of the Committee to refuse to grant or renew an invalid carriage driving licence or against any condition attached to the grant of such a licence on the grounds that the decision of the Committee was an unreasonable exercise of its powers, or
- (c) of the Constable [...] to refuse to permit a person to drive a tractor on or along any public road on a Sunday in pursuance of the provisions of subsection (6) of section seven of this Ordinance on the grounds that the decision of the Constable [...] was an unreasonable exercise of his powers.

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**NOTE**

*In section 15, the words omitted in square brackets in paragraph (c) were repealed by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(f), with effect from 16th January, 1980.*

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**PART V**

**EXCEPTED TRACTORS AND TRACKED VEHICLES**

**Excepted tractors.**

**16.** Nothing in this Ordinance shall apply in relation to any tractor which, when any of its gears are engaged, is not capable under any circumstances, whether loaded, hauling a load or otherwise of a speed exceeding four miles per

hour.

**Tracked vehicles.**

17. Notwithstanding anything in this Ordinance contained a person shall not drive or attempt to drive a tractor which is a tracked vehicle on or along any of the public roads:

Provided that the provisions of this section shall not apply in the case of a tractor to which the last preceding section applies.

PART VI  
GENERAL

**[Power to make regulations.**

17A. The Committee may from time to time make regulations concerning the driving, use and parking on the public roads of tractors and invalid carriages.]

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**NOTE**

*Section 17A was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2012, section 1(c), with effect from 18th April, 2012.*

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**Offences.**

18. Any person who –

- (a) contravenes any of the provisions of this Ordinance [or any [regulations] made thereunder or fails to comply with any direction given by the Constable] [or a Police Officer], or

- (b) fails to comply with any condition attached to a tractor driving licence, an invalid carriage driving licence, a provisional tractor driving licence or a provisional invalid carriage driving licence, or
- (c) impedes or obstructs the Constable in the execution of his duties under this Ordinance, or
- (d) in connection with any application for the grant or renewal of a tractor driving licence or an invalid carriage driving licence, or in connection with any application for the grant of a provisional tractor driving licence or a provisional invalid carriage driving licence, knowingly makes any false statement or recklessly makes any statement which is false in a material particular,

shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 1 on the Sark uniform scale] and, in addition to or in substitution for such punishment as aforesaid, the Court may make an order disqualifying the offender from holding or obtaining a tractor driving licence, an invalid carriage driving licence, a provisional tractor driving licence or a provisional invalid carriage driving licence, as the case may be, for such period not exceeding twelve months as the Court may think fit.

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**NOTES**

*In section 18,*

*the words in the first pair of square brackets in paragraph (a) were*

*inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972, section 1(f), with effect from 5th April, 1972;*

*the word in square brackets within the first pair of square brackets in paragraph (a) was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2012, section 1(b), with effect from 18th April, 2012;*

*the words in the second pair of square brackets in paragraph (a) were inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(g), with effect from 16th January, 1980;*

*the words and figure in the third pair of square brackets were substituted by the Uniform Scale of Fines (Sark) Law, 1989, section 2(2), with effect from 1st July, 1989.*

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### **Interpretation.**

**19.** (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

**"agricultural purposes"** includes all purposes directly connected with the use of land as arable, meadow or pasture land,

**"animal"** means a horse, pony, ass, mule, bovine animal, pig, goat or sheep,

**"Committee"** means the Committee appointed by the Chief Pleas for the purposes of the Invalid Carriages (Sark) Law, 1967,

[**"the Constable"** includes, except in section two and paragraph (a) of section fifteen of this Ordinance, the Vingtenier,]

**"the Court"** means the Court of the Seneschal,

**"the hours of darkness"** means the time between half an hour after sunset on any day and half an hour before sunrise on the day next following,

**["invalid carriage"** has the meaning assigned to it by the Invalid Carriages (Sark) Law, 1967,]

**"invalid carriage licence"** means a licence granted under the provisions of section one of the Invalid Carriages (Sark) Law, 1967,

**"Island Medical Officer"** means the person appointed as such by the Chief Pleas,

**["Police Officer"** means a member of the salaried police force of the Island of Guernsey,]

**"prescribed"** means prescribed, from time to time, by the Chief Pleas by Resolution,

**"public road"** means any road, street, lane, way or place which is public or to which the public has right of access,

**["tractor"** has the meaning assigned to it by subsection (1) of section twenty of the Tractors (Sark) Law, 1974, and includes a tractor to which there is attached a trailer,]

**"tractor"** includes a tractor to which there is attached a trailer,

**"tractor licence"** means a licence granted under the provisions of section one of [the Tractors (Sark) Law, 1974],

"vehicle" means a mechanically or electrically propelled vehicle intended or adapted for use on roads and includes any mechanically or electrically propelled machine.

(2) Except in so far as the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as including a reference to that enactment as amended, repealed and re-enacted, extended or applied by or under any other enactment including this Ordinance.

(3) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Ordinance as if the same were an enactment in force in the Island of Guernsey.

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**NOTES**

*In section 19,*

*the definition of the expression "the Constable" in subsection (1) was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1980, section 1(h), with effect from 16th January, 1980;*

*the definition of the expression "invalid carriage" in subsection (1) was substituted by the Invalid Carriages (Sark) (Amendment) Law, 2006, section 2(b), with effect from 19th February, 2007;*

*the definition of the expression "Police Officer" in subsection (1) was inserted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1972, section 1(e), with effect from 5th April, 1972;*

*the definition of the expression "tractor" in subsection (1) was substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1983, section 1(c), with effect from 19th January, 1983;*

*the words and figures in square brackets in the definition of the*

*expression "tractor licence" in subsection (1) were substituted by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 1974, section 1(b), with effect from 1st December, 1974.*

*In accordance with the provisions of the Police Force (Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.*

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**Repeals.**

20. The Ordinances set out in the Schedule to this Ordinance are hereby repealed.

**Citation and commencement.**

21. This Ordinance may be cited as the Road Traffic (Tractors and Invalid Carriages) (Sark) Ordinance, 1967, and shall come into force on the 29<sup>th</sup> day of November, nineteen hundred and sixty-seven.

SCHEDULE

Section twenty

ORDINANCES REPEALED

The Road Traffic (Sark) Ordinance, 1956.

The Road Traffic (Amendment) (Sark) Ordinance, 1959.

The Road Traffic (Prescribed Tractors) (No. 2) Ordinance, 1960.

The Road Traffic (Amendment) (Sark) Ordinance, 1962.

The Road Traffic (Amendment) (Sark) Ordinance, 1966.

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<sup>1</sup> These figures and symbols were previously amended by the Road Traffic (Tractors and Invalid Carriages) (Amendment) (Sark) Ordinance, 2002, section 1, with effect from 16th January, 2002.