

**Motor Vehicles, Licensing, Traffic and Public Transport
(Fees) (Guernsey) Regulations, 2013**

<i>Made</i>	<i>19th March, 2013</i>
<i>Coming into operation</i>	<i>1st April, 2013</i>
<i>Laid before the States</i>	<i>, 2013</i>

THE ENVIRONMENT DEPARTMENT, in exercise of the powers conferred on it by sections 2A and 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987^a, sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007^b, sections 4, 5, 8, 9, 16 and 17 of the Registration Marks (Sale and Retention) Ordinance, 1997^c, sections 1 and 8A of the Motor Vehicles (International Circulation) Ordinance, 1974^d and all other powers enabling it in that

^a Ordres en Conseil Vol. XXX, p. 341; as amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Vol. XXXVI, p. 256; Vol. XL, p. 298; No. XIX of 2007; Recueil d'Ordonnances Tome XXVI, p. 90; and Tome XXIX, p. 406.

^b Orders en Conseil No. VII of 2008; as amended by No. VIII of 2010, and Recueil d'Ordonnances Tome XXXIII, p. 38 and Ordinance No. IV of 2011.

^c Recueil d'Ordonnances Tome XXVII, p. 401, as amended by Tome XXXII, p.

^d Recueil d'Ordonnances Tome XIX, p. 285; as amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Recueil d'Ordonnances Tome XX, p. 241; Tome XXV, p. 133; Tome XXVI, p. 90; Tome XXVIII, p. 220; Tome XXIX, p. 406; Tome XXXII, p. 93, G.S.I. No. 30 of 1999; G.S.I. No. 54 of 2006; and G.S.I. No. 21 of 2008.

behalf, hereby makes the following Regulations:-

Amendment of Trafic Véhiculaire Ordonnance of 1932.

1. (1) The Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île, 1932^e is amended as follows.

(2) In article 15(3)(b) for "twenty-five pounds" substitute "forty pounds".

Amendment of Licences de Commerçant Ordinance of 1932.

2. (1) The Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial, 1932^f is amended as follows.

(2) In article 2(2) –

(a) for each reference to "£30" substitute "£35", and

(b) for "£15" substitute "£17.50".

^e Recueil d'Ordonnances, Tome VI, p. 89; as amended by Ordres en Conseil Vol. XXII, p. 558; Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Recueil d'Ordonnances Tome VIII, pp. 226, 227 and 229; Tome XI, p. 241; Tome XIV, p. 125; Tome XV, pp. 219 and 370; Tome XVI, pp.14 and 503; Tome XIX, p. 285; Tome XX, p. 445; Tome XXI, p. 190; Tome XXVI, p. 90; Tome XXVII, p. 401; Tome XXIX, p. 406; and Tome XXXII, pp. 1, 91, and 93.

^f Recueil d'Ordonnances, Tome VIII, p. 229; as amended by Tome VIII, p. 233 (Ordonnances of 1933 and 1937) and Tome XXXII, p. 93.

Sum prescribed under the Motor Vehicles (International Circulation) Ordinance, 1974.

3. For the purposes of section 1(4) of the Motor Vehicles (International Circulation) Ordinance, 1974, the fee prescribed for the issue of any document issued under section 1 of that Ordinance shall be £10.

Amendment of the Public Transport Ordinance, 1986.

4. (1) The Public Transport Ordinance, 1986^g is amended as follows.
- (2) In section 12(1) for "£15" substitute "£30".
 - (3) In section 12(2) for "£5" substitute "£10".
 - (4) In section 12(3) for "£7.50" substitute "£15".
 - (5) In section 14(3) for "£5.00" substitute "£10".
 - (6) In section 15(3) for "£3.00" substitute "£10".
 - (7) In section 42(6)(a) for "£10" substitute "£20".
 - (8) In section 42(6)(b) for "£25" substitute "£50".
 - (9) In section 42(6)(c) for "£5" substitute "£10".

^g Recueil d'Ordonnances Tome XXIII, p. 351; as amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 103; Tome XXIV, p. 265; Tome XXV, p. 211; Tome XXVI, pp. 152 and 370; Tome XXVIII, pp. 414 and 440; Tome XXIX, p. 406; and Tome XXXIII, pp. 38 and 326.

Amendment of the Permits to Drive Public Service Vehicles Ordinance, 1986.

5. (1) The Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1986^h is amended as follows.

(2) For section 4(4) substitute -

"(4) The fee for -

(a) a driving test under subsection (3)(a)(i) ("PSV test") shall be -

(i) £70 per test period, unless subparagraph (ii) applies, or

(ii) £10 per test period, where an applicant takes a PSV test on the same day as a test of competence relating to a motor vehicle of a class included in Category D or Category D1 pursuant to section 4 of the Driving Licences (Guernsey) Ordinance, 1995, and

(b) an Island knowledge test under subsection (3)(a)(ii) shall be £20,

both payable in advance to the Chief Accountant."

^h Recueil d'Ordonnances Tome XXIII, p. 393; as amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 103; Tome XXV, p. 211; Tome XXVI, p. 106; Tome XXVIII, p. 299; and Tome XXXIII, p. 38.

- (3) In section 7 for "£5.00" substitute "£10".
- (4) In the Schedule -
 - (a) in relation to the fee to accompany an application, for "£5" substitute "£10",
 - (b) in relation to the fee for the grant of a 4 year permit, for "£10" substitute "£20", and
 - (c) in relation to the fee for the renewal of a 4 year permit, for "£20" substitute "£40".

Amendment of the Driving Licences (Guernsey) Ordinance, 1995.

6. (1) The Driving Licences (Guernsey) Ordinance, 1995ⁱ, is amended as follows.

(2) For section 7(1) substitute –

"(1) Subject to subsections (2) and (3), the fee payable for licences granted under this Ordinance shall be, in the case of a licence of a

ⁱ Recueil d'Ordonnances Tome XXVI, p. 374; as amended by Recueil d'Ordonnances Tome XXVII, pp. 62, 138, 149; Tome XXVIII, pp. 55 and 299; Tome XXIX, p. 202; Tome XXXII, p. 93; Ordinance No. V of 2010; G.S.I Nos. 1 and 23 of 2001; G.S.I Nos. 8 and 25 of 2002; G.S.I No. 24 of 2003; G.S.I No. 56 of 2004; G.S.I Nos. 22 and 23 of 2006; G.S.I. Nos. 9 and 27 of 2007; G.S.I. No. 97 of 2008; and G.S.I. No. 41 of 2012.

description specified in the first column of the Table set out in Schedule 3 to this Ordinance –

- (a) unless paragraph (b) or (c) applies, the fee specified in the second column of that Table,
- (b) the fee specified in the fourth column of that Table, where an applicant requests that the Committee considers their application for a licence, and if successful grants a licence, on the same working day ("**same day licence**"), or
- (c) the fee specified in the third column of that Table, where an applicant requests that the Committee considers their application for a licence, and if successful grants a licence, on the next working day ("**next day licence**").

(3) Immediately after section 7(2) insert the following subsections –

"(3) Applications for licences received under subsections (1)(b) or (1)(c) shall be considered by the Committee in the manner set out in section 1 of this Ordinance, and if successful a licence shall be granted by the Committee by 5 p.m. on the same, or the next, working day, as the case may be, from the date on which the application for a licence is submitted to the Committee provided that

- (a) in the case of –

- (i) a same day licence, the application is submitted in good order to the Committee no later than 11 a.m., and
 - (ii) a next day licence, the application is submitted in good order to the Committee no later than 2 p.m.,
- (b) the requirements in relation to applications for, and the grant of, licences set out in this Ordinance (including, without limitation, section 1(1)) are complied with,
- (c) the applicant is not suffering or has not suffered from any relevant disability or any prospective disability and there are no other unusual circumstances or complicating factors relating to the application which may delay the consideration of the application or the grant of the licence, and
- (d) for the avoidance of doubt, the Committee may, at its discretion -
 - (i) refuse any request to process a same day licence or next day licence, and
 - (ii) refuse to grant a full licence, or require the applicant to obtain a pass certificate prior to the issue of such a licence.

(4) For the purposes of this section "working day" means a day which is not a Saturday, a Sunday, Christmas Day, Good Friday or a day appointed as a public holiday by Ordinance of the States of Guernsey."

(4) For Schedule 3, substitute –

"

SCHEDULE 3

Section 7

FEES FOR LICENCES

(1) Description of Licence	(2) Fee	(3) Next Day Licence	(4) Same Day Licence
(1) A provisional licence granted to a person who has not held a licence before	£45.00	£65.00	£75.00
(2) First full licence granted in exchange for a provisional licence	£0.00	£20.00	£30.00
(3) Renewal of a full or provisional licence	£45.00	£65.00	£75.00
(4) A full or provisional licence granted in exchange for a subsisting licence (other than a licence issued by the competent authority in a country outside the Island) or in place of a licence revoked pursuant to section 9(1) of this Ordinance (surrender of driving licences) except - (a) where the licence granted is a first full licence granted in exchange for a provisional licence; or	£12.50	£32.50	£42.50

(b) where the subsisting or revoked licence is surrendered pursuant to section 9(1) or (2) of this Ordinance and the Committee is required to grant a new licence free of charge			
(5) A licence issued in exchange for a licence issued by the competent authority in a country outside the Island	£45.00	£65.00	£75.00
(6) The first licence granted to a person after the expiration of a period of disqualification imposed upon him by an order of the court where -			
(a) the licence will remain in force for less than six years	£25.00	£45.00	£55.00
(b) the licence will remain in force for more than six years, for each year or part thereof until its expiration	£4.50	The fee calculated in column (2) plus £20.00	The fee calculated in column (2) plus £30.00
(7) A licence granted pursuant to section 11(2) of the principal Law	£12.50	£32.50	£42.50
(8) A duplicate licence	£25.00	£45.00	£55.00

Sums prescribed under the Registration Marks Ordinance, 1997.

7. (1) For the purposes of section 4 of the Registration Marks (Sale and Retention) Ordinance, 1997 ("the **Registration Marks Ordinance**") the sum prescribed for the acquisition of the right referred to under that section is £80.

(2) For the purposes of section 5 of the Registration Marks

Ordinance the sum prescribed for the acquisition of the right referred to under that section is £80.

(3) For the purposes of sections 8(1) and 8(3) of the Registration Marks Ordinance the sum prescribed for the issue of a copy of a certificate marked as a duplicate is £40.

(4) For the purposes of section 9(5)(d) of the Registration Marks Ordinance the sum prescribed for the grant of an extension is £80.

Amendment of the Motor Taxation and Licensing Regulations, 2007.

8. (1) The Motor Taxation and Licensing (Fees) (Guernsey) Regulations, 2007^j are amended as follows.

(2) In the Schedule pursuant to regulation 1, for the Table of Fees set out in the Schedule substitute –

"

<i>Event or matter in respect of which fee is payable</i>	<i>Amount of fee</i>
1. First registration of motor vehicle.	£40
2. Upon issue of duplicate certificate.	£12.50

"

Interpretation.

9. (1) The Interpretation (Guernsey) Law, 1948^k applies to the interpretation of these Regulations.

(2) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without

^j G.S.I. No. 43 of 2007.

^k Ordres en Conseil Vol. XIII, p. 355.

modification), extended or applied.

(3) These Regulations shall be deemed to be an Order prescribed by the States Environment Department under and for the purposes of –

- (a) section 1 of the Motor Vehicles (International Circulation) Ordinance, 1974 (see regulation 3 of these Regulations), and
- (b) sections 4, 5, 8 and 9 of the Registration Marks (Sale and Retention) Ordinance, 1997 (see regulation 7 of these Regulations).

Repeal.

10. The Motor Vehicles (International Circulation) (Driving Permit Fee) Order, 2008¹ is hereby repealed.

Citation and commencement.

11. These Regulations may be cited as the Motor Vehicles, Licensing, Traffic and Public Transport (Fees) (Guernsey) Regulations, 2013 and shall come into force on the 1st April 2013.

Dated this 19th day of March 2013

¹ G.S.I. No. 21. of 2008.



R. DOMAILLE

Minister of the States Environment Department

For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by the Environment Department under the Motor Taxation and Licensing (Guernsey) Law, 1987, the Fees, Charges and Penalties (Guernsey) Law, 2007, the Registration Marks (Sale and Retention) Ordinance, 1997, and the Motor Vehicles (International Circulation) Ordinance, 1974.

The Department has carried out a review of its fees and charges for which it has administrative responsibility in the areas of driving licences, vehicle registration, registration marks, international driving permits, permits to drive public service vehicles, and road service and vehicle licensing.

These Regulations increase the fees payable to the Environment Department or the Chief Accountant with effect from the 1st April 2013 in relation to the following areas:

- Driving Licences - the issue and renewal of trade plates (£35), the deposit paid upon the issue of trade plates (£17.50), the introduction of a surcharge for the processing of an expedited (same working day) driving licence (£30) or expedited (next working day) driving licence (£20),
- Vehicle Registration - the first registration of a motor vehicle (£40), and the issue of a duplicate registration certificate (£12.50),
- Registration Marks - the exchange of registration marks (£40), the acquisition

of a right of retention (£80), the acquisition of a right to be on the waiting list for a particular registration mark (£80), the issue of a duplicate certificate (£40), and the grant of an extension of a right (£80),

- International Driving Permits – the issue of an international driving permit or certificate (£10),
- Permit to Drive a Public Service Vehicle – Island knowledge test (£20), examination of ability to drive a public service vehicle (£70 per test period or a reduced fee of £10 per test period where a driving test for a motor vehicle of a class in category D or D1 is taken on the same day), application fee for a permit to drive a public service vehicle (£10), grant of a 4 year permit to drive a public service vehicle (£20), renewal of a 4 year permit to drive a public service vehicle (£40), and the annual renewal fee of a permit to drive a public service vehicle in relation persons over 60 (£10), and
- Road Service and Vehicle Licensing – grant or renewal fee for a public service vehicle licence (£30), the grant of a temporary public service vehicle licence (£10), the permanent transfer of a public service vehicle licence (£15), the transfer of a public service vehicle licence to a new owner of a motor vehicle (£10), deposit upon the issue of a public service vehicle licence plate (£10), the examination of a public service vehicle (£20), the subsequent re-examination of a public service vehicle (£50), and the examination of a taximeter (£10).

These fee increases have been calculated in accordance with the Criteria for Evaluating Fees and Charges established by the Treasury and Resources Department (see Billet d'État III, 2007) and are primarily based upon increases in the RPIX (an index based on the Retail Price Index that excludes mortgage interest payments) since the fees and charges set out in these Regulations were last reviewed.

These Regulations come into force on the 1st April 2013.