

ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

Loi relative à la Taxation de Vélocipèdes.

(Enregistré sur les Records de l'Île de Guernesey le
29 décembre 1937.)



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ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ILE DE GUERNESEY

Le vingt-neuf décembre mil neuf cent trente-sept, par devant Victor Gosselin Carey, écuyer, Baillif; présents: Jean Allès Simon, John Roussel, Osmond Priaulx Gallienne, Arthur Dorey, Jean Nicolas Robin, Cyril de Putron, Aylmer Mackworth Drake, John Leale et James Frederick Carey, écuyers, Jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du vingt et un décembre, mil neuf cent trente-sept, ratifiant un Projet de Loi intitulé "Loi relative à la Taxation de Vélocipèdes",—La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile, duquel Ordre la teneur suit :—

At the Court at Buckingham Palace

The 21st day of December, 1937.

Present,

The King's Most Excellent Majesty

LORD PRESIDENT

LORD RUSHCLIFFE

MR. ERNEST BROWN

SIR FELIX CASSEL.

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 9th day of December, 1937, in the words following, viz. :—

LE 29 DECEMBRE 1937.

Your Majesty having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

‘1. That on the 21st day of May, 1937, the States of Deliberation, on the recommendation of their Board of Administration approved a modification of the Tax on Bicycles, sanctioned by an Order of His late Majesty King Edward the Seventh in Council of the 10th day of August, 1903, and of the Law intituled “Loi relative à l’Entretien des Voies Publiques,” registered on the Records of this Island the 26th day of November, 1904, and requested the Royal Court to prepare a Bill or “Projet de Loi” in order to give effect to their deliberation on the subject: 2. That in accordance with the aforesaid deliberation, the Royal Court on the 16th day of October, 1937, adopted a Bill or “Projet de Loi” intituled “Loi relative à la Taxation de Vélocipèdes,” and requested the Bailiff to submit the same to the States for approval: 3. That on the 29th day of October, 1937, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same and authorizing the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 4. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule annexed to the Petition. 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 intituled “Loi relative à la Taxation de Vélocipèdes,” and to order and direct that the same should have the 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."

His Majesty having taken the said Report into consideration is pleased, by and with the advice of His 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 His 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 or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His 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.

M. P. A. Hankey.

PROJET DE LOI referred to in the foregoing Order.

PROJET DE LOI

INTITULÉ

LOI RELATIVE À LA TAXATION DE
VÉLOCIPÈDES.

LES ETATS ont approuvé les dispositions suivantes rédigées en anglais, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de Loi en cette Ile :—

1. Repeal.
2. Interpretation.
3. Taxing and Licensing of Cycles.
4. Amount of Cycle Tax.
5. Offences.
6. Power of Royal Court to make Regulations.
7. Allocation of fines.

1.—REPEAL.—The provisions not heretofore repealed relative to the taxation of velocipedes and to the appropriation of the proceeds thereof contained in the Order of His Majesty in Council of the 10th August, 1903, registered on the Records of this Island on the 22nd August, 1903, and in the Law entitled “Loi relative à l'Entretien des Voies Publiques” sanctioned by Order of His Majesty in Council of the 14th November, 1904, registered on the Records of this Island on the 26th November, 1904, are hereby repealed.

2.—In this Law, the following expressions shall have the meanings hereby respectively assigned to them, that is to say :—

“Cycle” means a bicycle or tricycle but does not include an invalid carriage or any vehicle required to be licensed as an automobile.

“Public thoroughfare” means any street, way or place to which the public have access.

3.—(a) It shall be the duty of the proprietor of every cycle in each calendar year on or before the date on which that cycle is first ridden in that calendar year or on or before the 15th day of January in that calendar year, whichever of those dates is the later, to pay to the competent authority the tax leviable on that cycle under the provisions of this Law in respect of that calendar year and, upon payment thereof, the competent authority shall issue a card bearing the number allotted to that cycle and such other particulars (if any) as may be prescribed by Ordinance of the Royal Court and such card so issued, hereinafter referred to as "cycle licence", shall operate as a licence for the use of a cycle on public thoroughfares during the remainder of the calendar year current at the time of the issue of the cycle licence and during the first fifteen days of the then next succeeding calendar year.

(b) The cycle licence so issued shall be affixed to the cycle to which it relates in such manner as may be prescribed by Ordinance of the Royal Court.

(c) If when any cycle is being ridden on any public thoroughfare, such cycle does not bear a cycle licence which is then in force then, in the absence of proof to the contrary by the proprietor or person in charge of that cycle, that cycle shall be deemed to be an unlicensed cycle.

4.—The tax on cycles leviable in each calendar year for the account of the States of Guernsey shall be as follows:—

(a) in respect of each cycle licensed on any day from January 1st to June 30th inclusive in that calendar year, a tax of two shillings and sixpence;

(b) in respect of each cycle licensed on any day from July 1st to September 30th inclusive in that calendar year, a tax of one shilling and sixpence;

(c) in respect of each cycle licensed on any

day from October 1st to December 31st inclusive in that calendar year, a tax of one shilling.

Provided that, as regards any cycle brought into this Island by a person making a stay therein of a duration not exceeding two months, then upon the completion of such stay and upon evidence to the reasonable satisfaction of the competent authority that such cycle is being taken away from the Island and upon delivery to the competent authority of the cycle licence issued in respect of that cycle, the competent authority shall refund the tax paid in respect of the licensing of that cycle.

5.—(a) It shall be an offence to ride an unlicensed cycle on any public thoroughfare and any person guilty of such offence shall be liable upon conviction to a fine not exceeding Two Pounds.

(b) It shall be an offence to alter, deface, or add anything to a cycle licence or to make or attempt to make an imitation of a cycle licence or to exhibit on or affix to any cycle any cycle licence which has been altered, defaced, or added to or which has lapsed or to exhibit on or affix to any cycle any colourable imitation of a cycle licence and any person guilty of such offence shall be liable upon conviction to a fine not exceeding Ten Pounds.

6.—The Royal Court shall have power from time to time by way of Ordinance to make regulations—

(a) prescribing the method of the collection of the cycle tax and the issuing of cycle licences and the competent authority for the collection of such tax and the issuing of such licences ;

(b) prescribing the form in which cycle licences shall be issued and the particulars to be inscribed thereon ;

(c) prescribing the age below which it shall not be permissible for a person to ride a cycle notwithstanding that such cycle is licensed ;

(d) for any purpose necessary for giving effect to the provisions of this Law.

7.—The fines recoverable by virtue of this Law shall be payable as to one half to the Crown and as to the remainder to the States of Guernsey.

8.—This Law may be cited as The Cycle Tax Law, 1937.

QUERTIER LE PELLEY,
Greffier du Roi.