

III.  
1931

# ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

## Loi pour empêcher l'usage illicite d'Automobiles, 1930.

---

(Enregistré sur les Records de l'Île de Guernesey le  
7 mars 1931.)



IMPRIME ET PUBLIE PAR LA  
GUERNSEY "STAR" AND "GAZETTE" COMPANY, LTD.,  
IMPRIMEURS OFFICIELS AUX ÉTATS.  
BUREAU DE LA GAZETTE OFFICIELLE.  
RUE DU BORDAGE.

1931.

# ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ILE DE GUERNESEY.

*Le 7 mars 1931, pardevant Arthur William Bell, écr.,  
Baillif; présents: William de Prélaz Crousaz,  
Jean Allés Simon, Jean Ernest Dorey, Jean  
Roussel, Richard Francis McCrea, Osmond  
Priault Gallienne, Arthur Dorey, Geoffrey Alfred  
Carey, Ernest de Garis, Jean Nicolas Robin et  
Sidney Beckwith Mainguy, écuyers, Jurés.*

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 12 février 1931 ratifiant un Projet de Loi intitulé "Loi pour empêcher l'usage illicite d'Automobiles, 1930." La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile, duquel Ordre la teneur suit :—

**At the Court at Buckingham Palace,**

The 12th day of February, 1931.

**Present,**

**The King's Most Excellent Majesty**

EARL OF DESART

MR. SECRETARY HENDERSON

SIR CHARLES TREVELYAN

SIR DINSHAH MULLA

MR. KENNEDY

MR. MORRISON.

**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 30th day of January, 1931, in the words following, viz :—

**Your Majesty** having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

1. That for the reasons set forth in the preamble thereto, the Royal Court on the 18th day

LE 7 MARS 1931.

of October, 1930, adopted a Bill or Projet de Loi intituled "Loi pour empêcher l'usage illicite d'Automobiles, 1930" and requested the Baillif to submit the same to the States for their approval. 2. That on the 8th day of December, 1930, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3. That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled "Loi pour empêcher l'usage illicite d'Automobiles, 1930," and to order and direct that the same shall have the force of Law within 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  
in Council.

LOI POUR EMPÊCHER L'USAGE ILLICITE  
D'AUTOMOBILES, 1930.

Attendu que des plaintes sont faites contre des personnes qui se servent illicitement d'automobiles appartenant à d'autres personnes et afin d'y porter remède, les dispositions suivantes rédigées en anglais auront force de loi en cette Ile.

1.—(1) This Law shall apply to all mechanically propelled vehicles intended or adapted for use on roads (in this Law referred to as "motor vehicles") and to vehicles (in this Law referred to as "trailers") drawn by motor vehicles.

(2) In this Law, unless the context otherwise requires, the expression "Owner" in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement.

2.—(1) Every person who takes and drives away any motor vehicle without having either the consent of the owner thereof or other lawful authority shall be liable—

(a) on summary conviction, to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding fifty pounds ;

(b) on conviction on indictment, to imprisonment with or without hard labour for a term not exceeding twelve months, or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine.

Provided that, if on proceedings under this law

whether summary or on indictment, the Court is satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent, if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(2) If on the trial of any indictment for stealing a motor vehicle the Court is of opinion that the defendant was not guilty of stealing the motor vehicle but was guilty of an offence under this section, the Court may find him guilty of an offence under this section and thereupon he shall be liable to be punished accordingly.

3.—If while a motor vehicle is on a road or on a parking place any person otherwise than with lawful authority or reasonable cause gets on to the vehicle or tampers therewith or with the brake or other part of its mechanism, he shall be liable, on summary conviction in the case of the first offence to a fine not exceeding twenty pounds, and in the case of a second or subsequent offence, to a fine not exceeding fifty pounds, or to imprisonment with or without hard labour for a term not exceeding three months.

4.—Any police constable may arrest any person reasonably suspected by him of having committed or of attempting to commit an offence under section 2 or section 3 of this Law.

5.—If any person otherwise than with lawful authority or reasonable cause takes or retains hold of or gets on to a motor vehicle or trailer while in motion on any road, for the purpose of being drawn or carried, he shall be liable, in the case of a first conviction, to a fine not exceeding five pounds, and in the case of a second or subsequent conviction to a fine not exceeding ten pounds.

6.—This Law may be cited as the Unlawful User of Vehicles Law, 1930.

QUERTIER LE PELLEY,  
Greffier du Roi.