

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. 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.

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Recueil d'Ordonnances Tome VIII, p. 229; as amended by the: Decimal Currency (Bailiwick of Guernsey) Law, 1970 (Ordres en Conseil Vol. XXII, p. 558); Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991 (No. VI of 1991, Ordres en Conseil Vol. XXXIII, p. 127); Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial, 1933 (Recueil d'Ordonnances Tome VIII, p. 233); Ordonnance supplémentaire à l'Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial, 1937 (Recueil d'Ordonnances Tome VIII, p. 233); Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 422); Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 90); Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007 (No. XII of 2007, Recueil d'Ordonnances Tome XXXII, p. 93); Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); Motor Vehicles Licensing Traffic and Public Transport (Fees) (Guernsey) Regulations, 2013 (G.S.I. No. 10 of 2013); Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2021 (G.S.I. No. 33 of 2021); Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2023 (G.S.I. No. 11 of 2023); Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2024 (G.S.I. No. 9 of 2024); Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) (No.2) Regulations, 2024 (G.S.I. No. 92 of 2024); Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2025 (G.S.I. No. 87 of 2025).

Consolidated text

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Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial

ARRANGEMENT OF ARTICLES

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(Made on 26th November, 1932.)

Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial

VU LES dispositions de la Loi supplémentaire relative aux Automobiles, 1932, sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le 20 août 1932, et sur les représentations du Conseil Administratif des États que des commerçants de cette Île ont manifesté un désir de se prévaloir des facilités visées par la dite Loi;

LA COUR, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: –

Definitions.

1. In this Ordinance –

"**motor vehicle**" and "**vehicle**" severally mean a mechanically propelled vehicle intended for use on roads,

[the term "**[Committee]**" means the States [Committee for the Environment & Infrastructure] or such other Committee as the States may by Resolution prescribe.]

[...]

NOTES

In Article 1,

the words in the first pair of square brackets were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992,

*section 4, Schedule 2, paragraph 3(b), with effect from 29th July, 1992;*¹

*the words in the first and second pairs of square brackets within the first pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016;*²

the words omitted in the second pair of square brackets were repealed by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(a), with effect from 1st January, 2008.

*The functions, rights and liabilities of the Environment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 4(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*³

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 70(3), with effect from 1st January, 1950, this formerly Provisional Ordinance of the Royal Court became a Permanent Ordinance of the States.

Applications for Trade [plates].

2. (1) A person being a manufacturer or repairer of or a dealer in motor vehicles who desires to obtain or to renew [trade plates] in respect of [...] vehicles used by him for trade purposes under the limitations hereafter in this Ordinance prescribed in respect of such Trade [plates], shall apply to the [Committee] by means of a declaration in such form as the [Committee] may prescribe.

NOTES

In section (1) of Article 2,

the word in square brackets in the marginal note thereto was substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(b)(i), with effect from 1st January, 2008;

the words in the first and third pairs of square brackets were substituted, and the word omitted in the second pair of square brackets was repealed, by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(b)(ii), section 2(b)(iv) and section

2(b)(iii), with effect from 1st January, 2008;

the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016.⁴

Issue of Trade [plates], etc.

(2) The [Committee], on being satisfied that the applicant is bona-fide a manufacturer or repairer of or a dealer in motor vehicles and that he is proprietor of at least one [registered] motor vehicle may issue to him the appropriate [...] identification marks in accordance with the application on payment by him of [a fee of [£50]] and on his depositing with the [Committee] the sum of [[£25] (or such other amount as the [Committee] may in either case by regulation determine)] in respect of each plate issued bearing the identification mark. Every plate so issued shall remain the property of the [Committee] and on its surrender in good condition the deposit paid on it shall be returned to the Licensee but in default of such surrender in due time it shall be forfeited. [...]

Trade [plates] shall expire on the 31st of December of each year and [and, subject to payment of a fee of [£50] (or such other amount as the [Committee] may by regulation determine), may be renewed] during that month.

NOTES

In section (2) of Article 2,

the word in square brackets in the marginal note thereto was substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(c)(i), with effect from 1st January, 2008;

the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016;⁵

the words in the second, fourth,⁶ sixth, ninth and tenth pairs of

square brackets were substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(c)(ii), section 2(c)(iv), section 2(c)(v), section 2(c)(vi)(A) and section 2(c)(vi)(B), with effect from 1st January, 2008;

the symbols and figures "£50" and "£25" in square brackets, wherever occurring, were substituted by the Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2025, regulation 3, respectively paragraph (a) and paragraph (b), with effect from 1st January, 2026;⁷

the words omitted in the third and eighth pairs of square brackets were repealed by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(c)(iii) and section 2(c)(vi), with effect from 1st January, 2008.

The following Regulations have been made under section (2) of Article 2:

Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2025.

Use of Trade [plates].

(3) [Trade plates] shall not be used by any person other than the person to whom the same is issued and the person to whom the same is issued shall not allow or suffer [...] the plates issued [...] to be used by any other person but no offence under this section shall be deemed to have been committed if the person to whom [the plate is issued] or a person bona-fide in his employ and acting under his authority is present and in charge of the vehicle or if such vehicle is constructed for use by one person only and is being used by a prospective purchaser for the purpose of test or trial.

NOTES

In section (3) of Article 2,

the word in square brackets in the marginal note thereto was substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(d)(i), with effect from 1st January, 2008;

the words in, first, the first pair of square brackets and, second, the fourth pair of square brackets were substituted and, third, the words omitted in the second and third pairs of square brackets were repealed by the Motor

Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(d)(ii), section 2(d)(iv) and section 2(d)(iii), with effect from 1st January, 2008.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section (3) of Article 2 of this Ordinance may be discharged by payment of a fixed penalty.

(4) [Trade plates] shall not be used upon any vehicle other than a vehicle which is in the possession of the holder of [such plates] in the course of his business as a manufacturer or repairer of or dealer in motor vehicles.

(5) (a) ...

(b) [Trade plates] shall not at any time be used upon a vehicle which is being used for the conveyance of passengers or goods for profit or reward.

(6) No vehicle shall be used upon a public road under [trade plates] for any purpose other than a purpose for which such vehicle is authorised to be used [by article 3(2)].

NOTES

In section (4) of Article 2, the words in the first and second pairs of square brackets were substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(e)(i) and section 2(e)(ii), with effect from 1st January, 2008.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section (4) of Article 2 of this Ordinance may be discharged by payment of a fixed penalty.

In section (5) of Article 2, paragraph (a) was repealed, and the words in square brackets in paragraph (b) were substituted, by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(f) and section 2(g), with effect from 1st January, 2008.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section (5) of Article 2 of this Ordinance may be discharged by payment of a fixed penalty.

In section (6) of Article 2, the words in the first and second pairs of square brackets were substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(h)(i) and section 2(h)(ii), with effect from 1st January, 2008.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section (6) of Article 2 of this Ordinance may be discharged by payment of a fixed penalty.

3. (1) ...

(2) [...] A motor vehicle may be used upon a public road under [trade plates] for any one or more of the following purposes –

- (i) for test or trial in the ordinary course of construction or repair or immediately after completion in either such case,
- (ii) for proceeding to or from a public weighbridge for ascertaining its unladen weight or to or from any place for its registration or inspection by the [Committee],
- (iii) for test or trial for the benefit of a prospective purchaser; for proceeding at the instance of a prospective purchaser to any place for the purpose of such test or trial; or for returning after such test or trial,
- (iv) for delivering the vehicle to the place where the purchaser intends to keep it,

- (v) for delivering a vehicle from his premises to the premises of another manufacturer or repairer of or dealer in motor vehicles or removing a vehicle from the premises of another manufacturer or repairer of or dealer in motor vehicles direct to his own premises,
- (vi) for proceeding to or returning from a workshop in which a body is to be or has been fitted to the vehicle or the vehicle is to be or has been painted or repaired,
- (vii) for proceeding from the premises of a manufacturer, or repairer of or dealer in motor vehicles, to a wharf for shipment or from a ship to the premises of such manufacturer, repairer or dealer,
- (viii) for proceeding to or returning from any garage, auction room or other place at which vehicles are usually stored or usually or periodically offered for sale and at which the vehicle is to be or has been stored or offered for sale as the case may be.

NOTES

In Article 3,

section (1) was repealed by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(i), with effect from 1st January, 2008;

the words omitted in the first pair of square brackets in section (2) were repealed, and the words in the second pair of square brackets therein were substituted, by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(j)(i) and section 2(j)(ii), with effect from 1st January, 2008;

the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016.⁸

Exemption from Law of 1987.

4. While a motor vehicle is being used under trade plates in conformity with the provisions of this Ordinance the vehicle shall be deemed to be validly registered under and for the purposes of the Motor Taxation and Licensing (Guernsey) Law, 1987, as amended.]

NOTE

Article 4 (which was previously substituted by the Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial, 1933, with effect from 4th February, 1933) was substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(k), with effect from 1st January, 2008.

5. ...

NOTE

Article 5 was repealed by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(l), with effect from 1st January, 2008.

Misuse of identification marks in connection with Trade [plates].

6. Any person –
- (1) who, not being entitled to use an identification mark issued in connection with [trade plates], shall use the same, or

- (2) who, being entitled to use such identification mark, shall use the same or suffer the same to be used –
- (i) upon a vehicle other than a vehicle in regard to which the use of such identification mark is permissible under the provisions of this Ordinance, or
 - (ii) for a purpose other than a purpose which is permissible under the provisions of this Ordinance,

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding [level 2 on the uniform scale].]

NOTES

Article 6 was inserted by the Ordonnance supplémentaire à l'Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial, 1937, with effect from 13th November, 1937.

In Article 6,

the words in the first pair of square brackets, and in the square brackets in the marginal note thereto, were substituted by the Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, respectively section 2(m)(i) and section 2(m)(ii), with effect from 1st January, 2008;

the words and figure in the second pair of square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.⁹

¹ Prior to this substitution, these words were amended by the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991, section 1(1), Schedule, with effect from 9th July, 1991; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 3(a), with effect from 29th July, 1992.

² These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004.

³ The functions, rights and liabilities of the Environment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them from the States Traffic Committee and of its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 29, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the States Traffic Committee under this Ordinance were previously transferred to it from the Island Traffic Committee by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 1, Schedule 1, paragraph 3, with effect from 29th July, 1992, subject to the savings in section 2 of the 1992 Ordinance; the functions of the Island Traffic Committee under this Ordinance were previously transferred to it from the States Board of Administration by the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991, section 1(1), Schedule, with effect from 9th July, 1991.

⁴ This word was previously substituted by the Machinery of Government

(Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 3(a), with effect from 29th July, 1992.

⁵ This word was previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 3(a), with effect from 29th July, 1992.

⁶ These words, figures and symbol were previously substituted by the Decimal Currency (Bailiwick of Guernsey) Law, 1970, section 8, with effect from 15th February, 1971.

⁷ Article 2(2) was previously amended by the: Motor Vehicles, Traffic and Licensing (Amendment) Ordinance, 2007, section 2(c), with effect from 1st January, 2008; Motor Vehicles, Licensing Traffic and Public Transport (Fees) (Guernsey) Regulations, 2013, regulation 2, with effect from 1st April, 2013; Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2021, regulation 2, with effect from 1st June, 2021; Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2023, regulation 2, with effect from 6th March, 2023; Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2024, regulation 3, with effect from 4th March, 2024; Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) (No. 2) Regulations, 2024, regulation 3, respectively paragraph (a) and paragraph (b), with effect from 1st January, 2025.

⁸ This word was previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 3(a), with effect from 29th July, 1992.

⁹ These words and figure were previously substituted by the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986, section 1, Schedule, with effect from 1st April, 1986.