

# **The Motor Vehicles (International Circulation) (Amendment) Ordinance, 2019**

THE STATES POLICY & RESOURCES COMMITTEE, in pursuance of the Resolution of the States of 14<sup>th</sup> December, 2018<sup>a</sup>, in exercise of the powers conferred upon the States by sections 2 and 28A of the Motor Taxation and Licensing (Guernsey) Law, 1987<sup>b</sup>, and in exercise of the powers conferred on that Committee by Article 66A(1) of the Reform (Guernsey) Law, 1948<sup>c</sup>, hereby orders:-

## **Amendment of 1987 Law.**

1. The Motor Taxation and Licensing (Guernsey) Law, 1987 is amended as follows.

2. In section 2, immediately after subsection (32), insert the following –

"(32A) the requirements to be observed for the grant and authentication of passes, certificates or other documents relating to vehicles or the drivers of vehicles which may be required for the purposes of travel abroad by persons resident in the Bailiwick, and the fees payable therefor,

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<sup>a</sup> Article XVIII of Billet d'État No. XXVII of 2018.

<sup>b</sup> Ordres en Conseil Vol. XXX, p. 341; amended by Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Vol. XXXVI, p. 256; Order in Council No. IX of 2000; No. XIX of 2007; Recueil d'Ordonnances Tome XXVI, p. 90; Ordinance No. XXXIII of 2003; Nos. IX and XIII of 2016.

<sup>c</sup> Ordres en Conseil Vol. XIII, p. 288; amended by Order in Council No. XVII of 2015; there are other amendments not relevant to this Ordinance.

(32B) the requirements to be observed for modifying, in relation to vehicles brought temporarily into this Island by persons resident outside this Island, and in relation to persons so resident who are temporarily in this Island, and matters incidental thereto, any enactment relating to vehicles or the drivers of vehicles,".

3. In section 26, in the definition of "**any enactment relating to the International Circulation of Motor Vehicles**", for "the Motor Vehicles (International Circulation) (Guernsey) Law, 1956" to the end substitute "any Ordinance made under section 2(32A) or section 2(32B)".

**Amendment of 1974 Ordinance.**

4. The Motor Vehicles (International Circulation) Ordinance, 1974<sup>d</sup> is amended as follows.

5. In section 1, for subsections (1) and (2), substitute –

"(1) Subject to the following provisions of this section, the Committee may issue to a person resident in the Bailiwick a driving permit in any of –

(a) the forms A or B in the First Schedule, and

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<sup>d</sup> Recueil d'Ordonnances Tome XIX, p. 285; 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; Ordinance No. XXXIII of 2003; No. XXXII of 2007; No. IX of 2016; G.S.I. No. 30 of 1999; No. 54 of 2006; No. 21 of 2008; No. 10 of 2013; and No. 55 of 2016.

(b) a form conforming to the provisions of Annex 7 to the Convention of 1968 (a "**Vienna form**").

(1A) A permit may only be issued to a person for a class or classes of vehicle in respect of which that person holds a full licence.

(2) A permit in form A may not be issued to any person who is under 18 years of age unless the permit is restricted to the driving of motor cycles, or invalid carriages, or both.

(2A) A permit in form B may not be issued to any person who is under 18 years of age.

(2B) A permit in the Vienna form must be limited in its period of validity to three years or, if shorter, the unexpired period of the permit holder's current full licence."

6. Section 1(5) is repealed, and in section 1(6) the words "and the carrying out of tests or examinations" are repealed.

7. In section 2(1) –

(a) in paragraph (a), immediately after "permit, ", insert "or"

(b) immediately after paragraph (b), delete "or",

(c) delete paragraph (c),

- (d) for ", except in the case of a holder of a British Forces (BFG) driving licence, be employed in driving," substitute "for any person to cause or permit such a person to drive," and
- (e) delete "or that licence".

8. In section 2(2), for "to be employed in driving" substitute "for any person to cause or permit such a person to drive".

9. In section 2(4) –

- (a) immediately after "authorise a person to drive", insert ", or any person to cause or permit any person to drive," and
- (b) immediately after "he is disqualified for holding" insert "or obtaining".

10. In section 2(5) –

- (a) delete paragraph (b), and
- (b) for the text from "any two or more of those rights" to the end, substitute –

"both of those rights, either in the case of all domestic driving permits, or in the case of such permits of a description specified in the order or held by

persons of a description so specified."

**11.** For section 2(6) substitute –

"(6) The provisions of this section which authorise the holder of a permit to drive a motor vehicle during a specified period shall not be construed as authorising the driving of a motor vehicle at a time when the permit has ceased to be valid and, without prejudice to subsection (4), a Convention driving permit in the Vienna form is not valid at a time when any restrictive condition of use endorsed on it is not satisfied."

**12.** In section 10 –

- (a) the definition of "**British Forces (BFG) driving licence**" is repealed and there is substituted –

""**Bailiwick**" means the Bailiwick of Guernsey,"

- (b) for the definition of "**Convention driving permit**" substitute –

""**Convention driving permit**" means a driving permit –

- (a) in form A in the First Schedule, issued under the authority of a country outside the Island, if that country is a party to the Convention of 1949 but not to the Convention of 1968, or
- (b) in form B in the First Schedule, issued under the

authority of a country outside the Island which is a party to the Convention of 1926, but not to the Convention of 1949 nor to the Convention of 1968, or

(c) in the Vienna form, issued under the authority of a country outside the Island which is a party to the Convention of 1968,"

(c) immediately after the definition of "**the Convention of 1949**" insert the following definition -

"**the Convention of 1968**" means the Convention on Road Traffic done at Vienna on 8<sup>th</sup> November 1968,"

(d) immediately after the definition of "**exempted motor vehicle**" insert the following definition –

"**full licence**" means a full driving licence granted under section 1 of the Driving Licences (Guernsey) Ordinance, 1995<sup>e</sup>,"

(e) in the definition of "**the Island**", for "Island of Guernsey" substitute "Islands of Guernsey and Alderney",

(f) immediately after the definition of "**revenue officer**",

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<sup>e</sup> Recueil d'Ordonnances Tome XXVI, p. 374; amended by Tome XXVII, pp. 62, 138 and 149; Tome XXVIII p. 55; Ordinance No. III of 2000; No. XXX of 2002; No. XII of 2007; No. V of 2010; No. V of 2015. There are other amendments not relevant to this enactment.

insert the following definition –

""**Vienna form**": see section 1(1)", and

(g) subsection (4) is repealed.

13. In paragraph 2(1) of the Second Schedule, immediately after "holding" insert "or obtaining".

**Extent.**

14. This Ordinance has effect in Guernsey and Alderney.

**Citation.**

15. This Ordinance may be cited as the Motor Vehicles (International Circulation) (Amendment) Ordinance, 2019.

**Commencement.**

16. This Ordinance shall come into force on the date appointed by Regulations of the Committee for the Environment & Infrastructure, and different dates may be appointed for different provisions and for different purposes.