

The Driving Licences (Guernsey) (Amendment) Ordinance, 2020

THE STATES POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on the States by sections 2 and 28A of the Motor Taxation and Licensing (Guernsey) Law, 1987^a and all other powers enabling them in that behalf, and in exercise of the powers conferred on the Committee by article 66A(1) of the Reform (Guernsey) Law, 1948^b, hereby order:-

Amendment of the 1995 Ordinance.

1. The Driving Licences (Guernsey) Ordinance, 1995^c is further amended as follows.
2. In section 1(8B)(b), immediately after "a period of one month" insert "(or such other period as the Committee thinks fit in exceptional circumstances for any individual case, class of case or all cases)".
3. Immediately after section 1(8C), insert the following subsections -

^a Ordres en Conseil Vol. XXX, p. 341; amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Vol. XXXVI, p. 256; Order in Council No. IX of 2000, Ordres en Conseil Vol. XL, p. 298); Order in Council No. XIX of 2007; Recueil d'Ordonnances Tome XXVI, p. 90; No. XXXIII of 2003; Ordinance Nos IX and XIII of 2016; and Nos IV and VI of 2019.

^b 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.

^c Recueil d'Ordonnances Tome XXVI, p. 374; amended by Ordinance No. XI of 1998 and No. XII of 2007; there are other amendments not relevant to this Ordinance.

"(8D) Notwithstanding subsection (8), where a provisional licence authorising the holder to drive a motor vehicle of a class included in categories P, A and A1 expired between dates set by the Committee by resolution, the holder may renew the said licence in accordance with s.6(1), as read with section 6(1A).

(8E) A provisional licence renewed in accordance with subsection (8D) -

(a) shall come into force on the renewal of that licence, and

(b) does not authorise the holder to drive a motor vehicle of a class included in categories P, A and A1, on a public highway, unless the holder has, before a date set by the Committee by resolution, retaken a training course for motor cyclists approved for the purposes of section 2A and has obtained a certificate of completion in respect thereof.

(8F) Notwithstanding any requirement under this Ordinance to pay a fee, the Committee may, in its discretion and where the relevant fee has not been paid, grant or renew a licence, which may only remain in force for such period (not exceeding 12 months) as the Committee may determine in its discretion."

4. Immediately after section 6(1), insert the following subsection -

"(1A) Notwithstanding the provisions of subsection (1), the Committee may at its discretion and subject to the provisions of this Ordinance receive and deal with applications on the basis of section 1(8D) for renewal of

a provisional licence authorising that person to drive a motor vehicle of a class included in categories P, A and A1 after the period set out in that subsection including, for the avoidance of doubt, where the licence has expired."

5. Immediately after section 8(5), insert the following subsection -

"(5A) Notwithstanding -

- (a) any period of time set out in this section (except in subsection (5)), or
- (b) any event by which the duration of a licence is calculated,

a licence may remain in force for a shorter period than that set out or for such period (as the case may be) where the Committee in its discretion so decides."

Citation.

6. This Ordinance may be cited as the Driving Licences (Guernsey) (Amendment) Ordinance, 2020.

Commencement.

7. This Ordinance shall come into force on the 22nd July 2020.