

1934

(Enregistré sur les Records le 1 décembre 1934.)

AT THE COURT AT BUCKINGHAM PALACE,

The 9th day of November, 1934.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	SECRETARY SIR SAMUEL HOARE
EARL STANHOPE	MR. DOUGLAS HACKING
	SIR ADAIR ROCHE.

Personnes
Ivres ayant le
soin de
Véhicules
sur les Voies
Publiques
(Auregny.)

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 2nd day of November, 1934, 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 a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth : “ that under the provisions of the Law intituled ‘ Loi relative à l’application des Peines tant au Criminel qu’en Police Correctionnelle ’ sanctioned by an Order in Council dated the 24th June, 1856, registered on the Records of the Island the 19th July, 1856, Articles 29 and 30 of which said Law give the Court of the Island of Alderney jurisdiction in certain cases, the maximum penalty for drunkenness in a public place is five shillings sterling : that no special legislation exists for making drunkenness while in charge of a vehicle an offence punishable by law : that on the 4th December, 1933, a recommendation was made to the States in the report of a special Committee that drunkenness whilst in charge of a motor vehicle should be made an offence punishable by law : that the States were of opinion to accept the said recommendation and to authorise the Crown Officers to prepare a *Projet de Loi* to give effect thereto : that at a Meeting of the States of Alderney holden before the Petitioner on the 23rd day of June, 1934, they took into consideration the *Projet de Loi* intituled ‘ *Projet de Loi par rapport aux Personnes*

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Ivres ayant le soin des Véhicules sur les Voies Publiques ' and were of opinion to approve the same, and to authorise the Petitioner to present in the name of the States a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the said *Projet de Loi* Your Royal Sanction ; And most humbly praying that Your Majesty would be graciously pleased to grant thereto Your Royal Sanction and to order it to be Your Royal Will and Pleasure that the said Law shall have force of Law in Your Majesty's said Island of Alderney.

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the *Projet de Loi* annexed thereto, 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 Alderney.

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, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

E. C. E. LEADBITTER.

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“ PROJET DE LOI ” referred to in the foregoing Order in Council.

LOI PAR RAPPORT AUX PERSONNES IVRES
AYANT LE SOIN DE VÉHICULES SUR LES
VOIES PUBLIQUES.

ARTICLE 1.

Définition
de
“ Véhicule.”

Le mot “ véhicule ” dans cette Loi s’applique à tous chariots, charettes, camions, wagons, tracteurs, rouleaux compresseurs, bicyclettes, tricyclettes et à toutes voitures dont la force motrice est, soit les animaux, soit la vapeur, soit l’huile, soit l’électricité ou autre force mécanique.

ARTICLE 2.

Pénalités.

Toute personne ivre sur une voie publique ou sur un lieu public pendant qu’il a sous ses soins un véhicule, sera passible en Police Correctionnelle à discrétion de Justice, soit d’un emprisonnement qui n’excédera pas un mois avec ou sans travail forcé, soit d’une amende qui n’excédera pas Dix livres sterling.

ARTICLE 3.

Suspension
des autorisa-
tions.

Dans le cas où le délinquant aura été trouvé coupable aux fins de l’article précédent et aura eu sous ses soins un véhicule pour la circulation duquel sur les voies publiques une autorisation de l’autorité compétente est exigée par une Loi ou Ordonnance, la Cour pourra, en outre les pénalités imposées par l’article précédent, ordonner que la dite autorisation sera suspendue pendant tel temps qu’elle trouvera à propos. Et sera le délinquant dans ce cas tenu de produire son autorisation au bureau du Greffe dans les vingt-quatre heures de la sentence afin que la dite sentence y soit endossée, sous peine d’une amende qui n’excédera pas Cinq livres sterling.