

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Public Transport Licensing (Guernsey) Law, 1964.

(Registered on the Records of the Island of Guernsey
on the 14th day of April, 1964.)



1964.

III
1964

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 14th day of April, 1964, before Frank Gahan, Esquire, Q.C., Lieutenant-Bailiff; present :—Sir John Leale, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Albert Victor Dorey, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., and William Burton Fox, Esquire, Jurats.

The Lieutenant-Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 26th day of March, 1964, ratifying a *Projet de Loi* entitled "The Public Transport Licensing (Guernsey) Law, 1964", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth :—

At the Court at Buckingham Palace

The 26th day of March, 1964.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

EARL MOUNTBATTEN OF BURMA

VISCOUNT BLAKENHAM

MR. SECRETARY THORNEYCROFT

MR. AMERY

SIR JOHN HOBSON

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 23rd day of March, 1964, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 29th day of January, 1964, the States of Deliberation at a meeting held on the 26th day of February, 1964, approved a Bill or “Projet de Loi” entitled “The Public Transport Licensing (Guernsey) Law, 1964” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly

praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Public Transport Licensing (Guernsey) Law, 1964" and to order that the same shall have force of law in 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."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her 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 HER 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 and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her 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.

W. G. AGNEW.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Public Transport Licensing (Guernsey) Law, 1964

THE STATES, in pursuance of their Resolution of the twenty-ninth day of January, nineteen hundred and sixty-four, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. (1) The States may, from time to time, by Ordinance make such provision as they may deem necessary or expedient for regulating or prohibiting the use of motor vehicles as public vehicles and, without prejudice to the generality of the foregoing, they may, from time to time, by Ordinance, in particular, make provision for all or any of the following matters—

Control or
prohibition
of use of
public
vehicles.

- (a) the establishment and constitution of a Committee which shall be styled the Passenger Transport Licensing Authority with authority to exercise such powers and perform such duties as may be conferred or imposed upon it by any such Ordinance;
- (b) the licensing of motor vehicles for use as public vehicles;
- (c) the licensing of persons to provide road services for the carriage of passengers in public vehicles between such termini and along such routes and subject to such conditions as may be specified in a licence;

- (d) the charging, levying and securing the payment of fees for the issue or renewal of any licence issued or renewed under the provisions of any such Ordinance;
 - (e) controlling the fares which may be charged for the carriage of passengers in, and the charges to be made for the hire of, public vehicles;
 - (f) the production of books, accounts, balance sheets, receipts and other documents relating to the use of public vehicles and the operation of road services as aforesaid;
 - (g) the entry into, and inspection of, any premises for any purpose connected with the exercise of any power conferred by the provisions of any such Ordinance;
 - (h) the examination and inspection of public vehicles;
 - (i) the administration of the oath to persons concerned with the use of public vehicles and the operation of road services as aforesaid and the examination of such persons on oath;
 - (j) such incidental and supplementary matters for which the States deem it necessary or expedient for the purposes of any such Ordinance to provide.
- (2) An Ordinance made under the provisions of this section may make different provisions for different classes of public vehicles and may make different provisions for different categories of public vehicles within those classes.

Saving.

2. Any licence granted under or by virtue of the provisions of the Passenger Transport Licensing

Authority (Guernsey) Law, 1949, and valid immediately before the coming into force of this Law shall be deemed to have effect as though it were a licence granted under the provisions of an Ordinance made in pursuance of the provisions of this Law and any conditions attached thereto were conditions attached under the provisions of such Ordinance.

3. The States may, from time to time, by Ordinance prescribe the penalties which shall be incurred by any person guilty of an offence under any Ordinance made under this Law and different penalties may be prescribed for different offences. Penalties.

4. In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say— Interpretation.

“hired motor vehicle” means a motor vehicle, other than a motor vehicle constructed and used for the conveyance of goods, which is the subject of an agreement to let on hire, not being a hire-purchase agreement, that is to say, not being an agreement for the bailment of a motor vehicle under which the bailee may buy the motor vehicle or under which the property therein will or may pass to the bailee;

“public highway” includes any road, street, lane or public place;

“public vehicle” means a motor vehicle which is—

- (a) a hired motor vehicle, or
- (b) a motor vehicle which is used for the carriage of passengers for hire or reward and which is offered for use either by standing or plying for hire or which is so offered in any other way whatsoever;

“ motor vehicle ” means a mechanically propelled vehicle intended or adapted for use on a public highway.

Repeal. 5. The Passenger Transport Licensing Authority (Guernsey) Law, 1949(a), is hereby repealed.

Citation. 6. This Law may be cited as the Public Transport Licensing (Guernsey) Law, 1964.

Commence-
ment. 7. This Law shall come into force on such date as the States may by Ordinance appoint.

R. H. VIDELO,

Her Majesty's Greffier.