

# **STATES OF JERSEY**

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## **DRAFT MOTOR VEHICLE REGISTRATION (AMENDMENT No. 3) (JERSEY) LAW 200**

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**Lodged au Greffe on 23rd December 2003  
by the Home Affairs Committee**

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**STATES GREFFE**





Jersey

## **DRAFT MOTOR VEHICLE REGISTRATION (AMENDMENT No. 3) (JERSEY) LAW 200**

### **European Convention on Human Rights**

The President of the Home Affairs Committee has made the following statement –

In the view of the Home Affairs Committee the provisions of the Draft Motor Vehicle Registration (Amendment No. 3) (Jersey) Law 200 are compatible with the Convention Rights.

(Signed) **Senator W. Kinnard**

## **REPORT**

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As a consequence of the de-regulation of hire cars, the Motor Vehicle Registration Law has become the means of imposing the mandatory requirement to display the letter 'H'. This was a request made by the Hire Cars Association. More importantly, the Finance and Economic Committee is to grant a relief of 85% from the vehicle registration duty for those vehicles registered as hire vehicles. It is therefore an important factor to ensure that records are kept as to whether the vehicle is to be used exclusively as a hire vehicle. This will be achieved by making it a requirement that this use is recorded when the vehicle is first registered and for any subsequent change of use to be notified.

There is a specific provision in the Law giving power to require notification of the alteration of a vehicle and this has now been extended to include "or its use" in order to facilitate the enforcement of the requirement to display the 'H' and to facilitate the collection of the 85% vehicle registration duty when the vehicle is no longer a hire car.

This draft Law has no implications for the financial or manpower resources of the States.

### **European Convention on Human Rights**

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Committee in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 11th December 2003 the Home Affairs Committee made the following statement before Second Reading of this projet in the States Assembly –

In the view of the Home Affairs Committee the provisions of the Draft Motor Vehicle Registration (Amendment No. 3) (Jersey) Law 200 are compatible with the Convention Rights.

## Explanatory Note

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This draft Law will amend the Motor Vehicle Registration (Jersey) Law 1993 so as to provide–

- (a) for the owner of a motor vehicle to notify the inspector of motor vehicles of any alteration in the use of the vehicle and for the inspector to enter the particulars in the register and issue a registration document recording the alteration (*Article 2*);
- (c) for orders to provide for notification of such alteration to be made within a prescribed period and in a prescribed manner (*Article 3*); and
- (d) for it to be an offence to make a false declaration when required to notify the inspector of an alteration in the use of a vehicle or to fail to make such notification within the prescribed period and in the prescribed manner (*Article 4*).





Jersey

# DRAFT MOTOR VEHICLE REGISTRATION (AMENDMENT No. 3) (JERSEY) LAW 200

## Arrangement

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### Article

- 1      Interpretation
- 2      Article 5 amended
- 3      Article 7 amended
- 4      Article 11 amended
- 5      Citation and commencement





Jersey

## **DRAFT MOTOR VEHICLE REGISTRATION (AMENDMENT No. 3) (JERSEY) LAW 200**

A LAW to amend further the Motor Vehicle Registration (Jersey) Law 1993<sup>[1]</sup>

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*Adopted by the States* [date to be inserted]

*Sanctioned by Order of Her Majesty in Council* [date to be inserted]

*Registered by the Royal Court* [date to be inserted]

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

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### **1 Interpretation**

In this Law “principal Law” means the Motor Vehicle Registration (Jersey) Law 1993<sup>[2]</sup>

### **2 Article 5 amended**

In Article 5 of the principal Law<sup>[3]</sup> –

- (a) in paragraph (1)(a) after the words “of the vehicle” there shall be inserted the words “or its use”; and
- (b) in paragraph (4)(a) after the words “alteration of a registered motor vehicle” there shall be inserted the words “or its use”.

### **3 Article 7 amended**

In Article 7(f)(i) of the principal Law<sup>[4]</sup> after the word “vehicle” there shall be inserted the words “or to its use”.

### **4 Article 11 amended**

In Article 11<sup>[5]</sup> –

- (a) in paragraph (1)(b) after the word “alteration” there shall be inserted the words “change of use,”; and
- (b) in paragraph (2) after the word “alteration” there shall be inserted the words “change of use,”.

### **5 Citation and commencement**

This Law may be cited as the Motor Vehicle Registration (Amendment No. 3) (Jersey) Law 200 and shall

come into force on the seventh day following its registration.

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[1] *Volume 1992-1993, page 407, Volume 1994-1995, page 295 and Volume 2003, page 443.*

[2] *Volume 1992-1993, page 407, Volume 1994-1995, page 295 and Volume 2003, page 443.*

[3] *Volume 1992-1993, page 414 and Volume 1994-1995, page 296.*

[4] *Volume 1992-1993, page 417.*

[5] *Volume 1992-1993, page 422, Volume 1994-1995, page 296 and Volume 2003, page 445.*