

Assented to in His Majesty’s name and on his Majesty’s behalf this 24<sup>th</sup> day of February 2025.

Nigel Phillips CBE  
Governor

L.S.



**ST HELENA  
NO 2 OF 2025**

Enacted .....24 February 2025  
Date of Commencement..... As provided by section 1  
Published in the Gazette.....24 February 2025

**AN ORDINANCE**

**to amend the Road Traffic Ordinance, 1985, to lower the blood, breath and urine alcohol limit for drivers; to provide for the regulation of public service vehicles; to provide for the delegation of the power to issue a licence granted under section 11 and 16; and for connected and incidental purposes.**

Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

**Short title, commencement and interpretation**

1. (1) This Ordinance may be cited as the Road Traffic (Amendment) Ordinance, 2025, and comes into force on a date or dates fixed by the Governor by Order.
- (2) In this Ordinance “the principal Ordinance” means the Road Traffic Ordinance, 1985.

**Repeal and substitution of section 3 - appointment of officers**

2. The principal Ordinance is amended by repealing section 3 and substituting the following—

**“Appointment of officers and delegation by the Licensing Officer**

- 3. (1)** For the purpose of this Ordinance the Governor may appoint—
- (a) a Registrar;
  - (b) a Licensing Officer; and
  - (c) inspectors and examiners.

**(2)** The Licensing Officer may in writing delegate the authority to issue a licence granted under section 11 or 16(2) to a person that the Licensing Officer considers fit.”

**Amendment of section 16 - licensing of drivers, etc.**

- 3.** The principal Ordinance is amended in section 16 as follows—
- (a) by inserting after subsection (1) the following subsection—

“**(1A)** Further to subsection (1) a person who drives a public service vehicle must, in addition to being the holder of a licence to drive a motor vehicle, be the holder of a licence to drive a public service vehicle and it is an offence for a person to—

    - (a) drive a public service vehicle on a road who is not the holder of a licence to drive a public service vehicle; or
    - (b) employ any person to drive a public service vehicle on a road who is not the holder of such a licence.

Penalty: As provided section 64(2).”
  - (b) in subsection (2) by inserting after the words “drive a motor vehicle” the words “or a public service vehicle”; and
  - (c) by inserting after subsection (2A) the following subsections—

“**(2B)**The Licensing Officer must—

    - (a) when considering an application for a licence to drive a public service vehicle have regard to the policy, approved by the Governor on the advice of the Executive Council and published by Notice in the Gazette, issued in respect of public service vehicles;
    - (b) issue a licence to drive a public service vehicle in accordance with the policy published in accordance with paragraph (a) in respect of public service vehicles.

**(2C)** A person who is aggrieved by the refusal of the Licensing Officer to grant a licence to drive a public service vehicle may within 14 days of the decision of the Licensing Officer appeal to the Magistrate’s Court.”
  - (d) in subsection (3) by inserting after the words “in the prescribed form” the words “except that for a public service vehicle which shall be in a form that is consistent with the policy published in accordance with subsection (2B)”.

**Amendment of section 43 - prescribed limit**

- 4.** The principal Ordinance is amended in section 43 as follows—
- (a) in paragraph (a) by repealing “50 microgrammes” and substituting “35 microgrammes”;
  - (b) in paragraph (b) by repealing “115 milligrammes” and substituting “80 milligrammes”; and
  - (c) in paragraph (c) by repealing “153 milligrammes” and substituting “107 milligrammes”.

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**EXPLANATORY NOTE**

*(This note is not part of the Ordinance)*

This Ordinance would amend the blood, breath and urine alcohol limits for drivers and regulate the licensing of public service vehicle drivers. The Ordinance would make provision for the delegation of the power to issue a licence granted under section 11 and 16 and would also provide that certain appeals against decisions of the Licensing Officer be made to the Magistrate’s Court.