

Consolidated text

ORDINANCE OF THE STATES OF ALDERNEY

ENTITLED

The Alderney Water (Restrictions) Ordinance, 1976 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from the Greffier, The Court of Alderney, Queen Elizabeth II Street, Alderney, GY9 3TB.

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* Alderney Ordinance No. VI of 1976; as amended by the Uniform Scale of Fines (Alderney) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 306); the Alderney Water (Restrictions) (Amendment) Ordinance, 1991 (Alderney Ordinance No. VIII of 1991); the Alderney Water (Restrictions) (Amendment) Ordinance, 1992 (Alderney Ordinance No. VII of 1992); the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997 (Alderney Ordinance No. II of 1997).

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ARRANGEMENT OF SECTIONS

1. Restrictions on the use of water supplied by the Board.
2. Offences.
3. Interpretation.
4. Citation.
5. Commencement.

(Made on the 7th July, 1976.)

The Alderney Water (Restrictions) Ordinance, 1976

THE STATES, in pursuance of their Resolution of the Seventh day of July, nineteen hundred and seventy-six, and in exercise of the powers conferred upon them by section twenty-nine of the Alderney Water Supply Law, 1954^a, hereby order: –

Restrictions on the use of water supplied by the Board.

1. (1) A person shall not, during such period as may be specified in a notice in that behalf given by the States [General Services Committee] (hereinafter referred to as "**the Board**") and signed by the Clerk of the States or, if no period is so specified until the date on which any such first mentioned notice is revoked by the Board by a further notice given and signed as aforesaid, use water supplied by the Board in pursuance of the provisions of the Alderney Water Supply Law, 1954, for all or such of the following purposes as may be specified in any such notice –

(a) for the purposes of –

- (i) cleaning any vehicle, aircraft or boat, or
- (ii) cleaning any window or shop-front, or
- (iii) watering any flower garden or lawn, or
- (iv) watering any vegetable garden in which vegetables are grown otherwise than for the

^a Ordres en Conseil Vol. XVI, p. 129; Vol. XXI, p. 130; Vol. XXIV, p. 59.

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purposes of sale, or

- (v) watering any outdoor crops which are grown for the purposes of sale,

or for such purposes otherwise than by such means as may be specified in any such notice,

- (b) for any purpose relating to the enjoyment of a dwelling house as such by the use of a hose, sprinkler or other similar apparatus,
- (c) for the purposes of filling or replenishing any swimming pool,
- (d) for the purposes of operating a dish washing machine in a dwelling house,
- (e) for the purposes of operating an automatic car wash,
- (f) for the purposes of cleaning any premises by a high pressure jet or other similar means,
- (g) for the purposes of cleaning a glasshouse,
- (h) for the purposes of operating a laundry, laundrette or similar premises[,
- (i) for the purpose of filling or replenishing any garden pond or water feature,

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- (j) for the purpose of filling or replenishing any spa pool or Jacuzzi].

(2) Any notice given by the Board under the provisions of the last preceding subsection –

- (a) shall be published on at least one occasion in La Gazette Officielle in the newspaper known as "Guernsey Evening Press and Star" preceding the date on which such notice comes into force, and
- (b) shall be affixed on the Notice Board at the Court House and near the gate of the Parish Church not less than the day preceding the date on which such notice comes into force and shall remain so affixed for not less than seven days.

NOTES

In section 1,

the words in the first pair of square brackets in subsection (1) were substituted by the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997, section 2, Schedule 2, Part II, paragraph 15, with effect from 2nd April, 1997;

paragraph (i) and paragraph (j) of subsection (1) were inserted by the Alderney Water (Restrictions) (Amendment) Ordinance, 1991, section 1, with effect from 4th September, 1991.

The functions of the States of Alderney Water Board under this Ordinance were transferred to the General Services Committee by the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997, section 2, Schedule 2, Part II, paragraph 15, with effect from 2nd April, 1997, subject to the savings and transitional provisions in section 3 of the 1997

Ordinance.

Offences.

2. Any person who contravenes or fails to comply with any provisions of a notice given by the Board under the provisions of subsection (1) of the last preceding section shall be guilty of an offence and liable, on conviction, in the case of a first offence [to a fine not exceeding level 3 on the Alderney uniform scale and, in the case of a second or subsequent offence, to a fine not exceeding level 4 thereon.]

NOTE

In section 2, the words and figures in square brackets were substituted by the Alderney Water (Restrictions) (Amendment) Ordinance, 1992, section 1, with effect from 2nd September, 1992.¹

Interpretation.

3. (1) In this Ordinance the expression "**dwelling house**" means any premises, or any part of any premises, wholly or principally used or usable for the purposes of human habitation and includes any part of such a dwelling and the expression "**boat**" means anything used for the conveyance by water of human beings or of property.

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

Citation.

4. This Ordinance may be cited as the Alderney Water (Restrictions)

Ordinance, 1976.

Commencement.

5. This Ordinance shall come into force on the seventh day of July, nineteen hundred and seventy-six.

¹ These words were previously substituted by the Uniform Scale of Fines (Alderney) Law, 1989, section 2(2), with effect from 1st October, 1989.