

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Noise Abatement Ordinance, 1962 *

[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 Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome XIII, p. 85; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Vehicular Traffic and Other Offences (Increase in Fines) Ordinance, 1979 (Recueil d'Ordonnances Tome XXI, p. 190); the Noise Abatement (Amendment) Ordinance, 2015 (No. ** of 2015).

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ARRANGEMENT OF SECTIONS

1. Restriction of operation of loudspeakers.
2. Exceptions.
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(Made on 4th April, 1962.)

The Noise Abatement Ordinance, 1962

THE STATES, in pursuance of their Resolution of the seventh day of February, nineteen hundred and sixty-two, and on the representations of the Island Police Committee, hereby order: –

Restriction of operation of loudspeakers.

1. Subject to the provisions of the next succeeding section, any person who operates or attempts to operate a loudspeaker –

- (a) in a public place, or
- (b) for advertising purposes,

in such a manner as to give reasonable cause for annoyance to others, shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 1 on the uniform scale] and in the case of a second or subsequent conviction, to a fine not exceeding [level 2 on the uniform scale].

NOTE

In section 1, the words and figures in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.¹

Exceptions.

2. The provisions of the last preceding section shall not apply to the operation of a loudspeaker –

- (a) which is or forms part of the horn or similar warning instrument of a vehicle and is operated solely for giving warning to other traffic,
- (b) for police, fire brigade, ambulance or civil defence

purposes,

- (c) by a servant of the States in connection with the performance of his duties at the Harbours of Saint Peter Port or Saint Sampson or at La Villiaze Airport,
- (d) on a vessel if used solely for navigational or warning purposes,
- (e) with the permission in writing of the [Director of Environmental Health and Pollution Regulation (appointed under the Environmental Pollution (Guernsey) Law, 2004)] in that behalf, in connection with a public function or meeting.

NOTE

In section 2, the words in square brackets in paragraph (e) were substituted by the Noise Abatement (Amendment) Ordinance, 2015, section 1, with effect from 15th October, 2015, subject to the transitional and savings provisions in section 3 of the 2015 Ordinance.

Interpretation.

3. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"loudspeaker" includes a megaphone, a wireless set and any other device for amplifying sound,

"public place" means any highway, road, footpath, square, court or any other place to which the public have or are permitted to have access other than a building.

Extent.

4. This Ordinance shall have effect in the Islands of Guernsey and Herm.

Citation.

5. This Ordinance may be cited as the Noise Abatement Ordinance, 1962.

Commencement.

6. This Ordinance shall come into force on the ninth day of April, nineteen hundred and sixty-two.

¹ These words and figures were previously substituted by the Vehicular Traffic and Other Offences (Increase in Fines) Ordinance, 1979, section 7, with effect from 31st January, 1979.