

Island of



Guernsey

## Ordinance of the States

V  
2011

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Made .....30th March, 2011

Coming into Operation.....30th March, 2011

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### **The Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2011**

**The Machinery of Government  
(Transfer of Functions) (Guernsey)  
Ordinance, 2011**

**THE STATES**, in exercise of the powers conferred on them by sections 1 and 3 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991<sup>a</sup> and all other powers enabling them in that behalf, hereby order:-

**Transfer of functions under the 2004 Law.**

1. (1) The following functions of the Public Services Department<sup>b</sup> are, subject to subsection (2), transferred to and vested in the Environment Department together with any rights and liabilities arising under or by virtue of such functions -

- (a) receiving recommendations from the Waste Disposal Authority<sup>c</sup> and the preparation of draft Waste Disposal Plans for consideration by the States under section 31(1) of the 2004 Law,
- (b) being a consultee under section 31(2)(a) of the 2004 Law, and

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<sup>a</sup> Ordres en Conseil Vol. XXXIII, p. 478 as amended by Recueil d'Ordonnances Tome XXIX, p. 406.

<sup>b</sup> The functions were transferred to the Public Services Department by Recueil d'Ordonnances Tome XXXII, p. 113.

<sup>c</sup> The Public Services Department was designated as the Waste Disposal Authority by Recueil d'Ordonnances Tome XXXI, p. 540 .

- (c) laying before the States a draft Waste Disposal Plan under section 31(3) of the 2004 Law.

(2) For the avoidance of doubt, the function of the Public Services Department (as Waste Disposal Authority) of making recommendations in section 31(1) and (3) of the 2004 Law is not transferred under subsection (1).

**Amendment of statutory references to departments.**

2. (1) Subject to subsection (2), for each of the references to "the Public Services Department"<sup>d</sup> in sections 31(1), (2)(a) and (3) of the 2004 Law there is substituted a reference to "the Environment Department".

(2) Subsection (1) does not have effect to substitute the references to the Public Services Department (as Waste Disposal Authority) in section 31(1) and (3) of the 2004 Law in relation to the function of making recommendations.

**Savings and transitional provisions.**

3. Anything done before the date of commencement of this Ordinance or in the process of being done on that date by or in relation to the Public Services Department under or by virtue of a function transferred under section 1 shall have effect as if done or (as the case may be) may be continued by or in relation to the Environment Department.

**Repeal.**

4. The words "and 31(1), (2) and (3)" in column 2 of the Schedule to

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<sup>d</sup> The references to the Public Services Department were inserted by Recueil d'Ordonnances Tome XXXII, p. 113.

the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2007<sup>e</sup> are repealed insofar as they apply to the functions transferred under section 1.

**Interpretation.**

5. (1) In this Ordinance "**the 2004 Law**" means the Environmental Pollution (Guernsey) Law, 2004<sup>f</sup>.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, repealed and re-enacted (with or without modification), extended or applied.

**Citation.**

6. This Ordinance may be cited as the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2011.

**Commencement.**

7. This Ordinance shall come into force on the 30<sup>th</sup> March, 2011.

S. M. D. Ross,  
Her Majesty's Deputy Greffier.

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<sup>e</sup> Recueil d'Ordonnances Tome XXXII, p. 113.

<sup>f</sup> Order in Council No. XIII of 2004 as amended by Order in Council No. XIII of 2010, Recueil d'Ordonnances Tome XXIX, p. 406, Tome XXXI p. 660 and Tome XXXII, p. 113 and Ordinance No. XVIII of 2010.







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