

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Parochial Collection of Refuse (Guernsey) (Amendment) Ordinance, 2008 *

[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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* No. XIX of 2008, Recueil d'Ordonnances Tome XXXIII, p. 104. See also the Taxation of Real Property (Enabling Provisions) (Guernsey and Alderney) Law, 2005 (No. X of 2006). This Ordinance has been repealed by the Parochial Collection of Waste (Guernsey) Law, 2015 (No. XV of 2015).

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**The Parochial Collection of Refuse (Guernsey)
(Amendment) Ordinance, 2008**

ARRANGEMENT OF SECTIONS

- 1-13. Amendment of Law of 2001.
- 14. Citation.
- 15. Commencement.

(Made on 28th May, 2008.)

The Parochial Collection of Refuse (Guernsey) (Amendment) Ordinance, 2008

THE STATES, in pursuance of their Resolution of the 27th February, 2008^a, and in exercise of the powers conferred on them by section 9 of the Parochial Collection of Refuse (Guernsey) Law, 2001^b, sections 1, 2 and 4 of the Taxation of Real Property (Enabling Provisions) (Guernsey and Alderney) Law, 2005^c and all other powers enabling them in that behalf, hereby order: –

Amendment of Law of 2001.

1. The Parochial Collection of Refuse (Guernsey) Law, 2001^d is further amended as follows.
2. In sections 2(1)(a) and 2(3)(a) for "occupier" substitute "owner".
3. In section 2(3) the words "the occupier or, as the case may be," are repealed.
4. In section 2(4)(a) and (b) for "rateable value" substitute "assessable value".
5. In section 2(5) after the words "levied in respect of a" insert "dwelling house or".
6. In section 2(6), the following words are repealed -

^a Article VII of Billet d'État No. II of 2008.

^b Order in Council No. IX of 2001; amended by No. XIII of 2004; and by Ordinance IX of 2002.

^c Order in Council No. X of 2006.

^d Order in Council No. IX of 2002; amended by No. XIII of 2004 and by Ordinance No. IX of 2002.

- (a) "occupier or",
- (b) "occupy or (as the case may be)", and
- (c) "occupier or (as the case may be)".

7. In section 3(2) for "rateable value" substitute "assessable value".

8. In section 3(4) for "occupier" substitute "owner".

9. In section 6(1) before the definition of "dwelling house" insert the following definition –

"assessable value" means the number of assessable units of the property in question (on the 31st December in the calendar year preceding that in which the refuse rate becomes due) within the meaning of, and calculated in accordance with, the Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007,."

10. In section 6(1) the definition of "occupier" is repealed.

11. In section 6(1) the definition of "rateable value" is repealed.

12. For section 6(2) substitute the following subsection –

(2) In this Law the expressions "**dwelling house**" and "**tenement house**" include anything classified therewith in property references B1.1, B1.2, B2.1, B2.2, B3.1, B3.2 and B4.2 (as the case may be) for the determination of property tax in accordance with the Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007."

13. Paragraphs 1 and 2 of Schedule 2 are repealed.

NOTE

In accordance with the provisions of the Taxation of Real Property

(Enabling Provisions) (Guernsey and Alderney) Law, 2005, section 4(g) and section 4(h), with effect from 13th November, 2006, this enactment is one of those that the States may repeal, amend, extend, adapt, modify or disapply by Ordinance made under the 2005 Law.

Citation.

14. This Ordinance may be cited as the Parochial Collection of Refuse (Guernsey) (Amendment) Ordinance, 2008.

Commencement.

15. This Ordinance shall come into force on the 1st June, 2008, but shall have effect only for the purposes of the refuse rate levied in the Parishes' respective financial years beginning in 2009 and thereafter.