

PROJET DE LOI

ENTITLED

The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. 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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* Ordres en Conseil Vol. XXXIII, p. 478; as amended by the: Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021 (No. XI of 2022); Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the: Direct Taxes (Sark) Law, 2002 (No. VII of 2003); Legal Aid (Bailiwick of Guernsey) Law, 2003 (No. VI of 2004, Ordres en Conseil Vol. XLIV(1), p. 104); Companies (Guernsey) Law, 2008 (No. VIII of 2008); Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (No. XXVI of 2008); Aviation (Bailiwick of Guernsey) Law, 2008 (No. XXVIII of 2008); Charities and Non Profit Organisations (Registration) (Sark) Law, 2010 (No. VI of 2010); Aviation Registry (Guernsey) Law, 2013 (No. XIII of 2013); Intellectual Property (Office of Registrar) (Bailiwick of Guernsey) Ordinance, 2005 (No. XXIX of 2005, Recueil d'Ordonnances Tome XXX, p. 581); Tobacco Products (Guernsey) Ordinance, 2014 (No. LI of 2014); Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 (No. L of 2015); Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017 (Sark Ordinance No. VI of 2017); European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016 (No. XXI of 2016); European Communities (Food and Feed Controls) (Alderney) Ordinance, 2019 (Alderney Ordinance No. II of 2019); European Communities (Food and Feed Controls) (Sark) Ordinance, 2019 (Sark Ordinance No. IX of 2019); European Communities (Official Controls) (Implementation and General Provisions) (Guernsey) Ordinance, 2019 (No. XL of 2019).

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The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991

ARRANGEMENT OF SECTIONS

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2. Renaming of public offices.
3. Ordinances.
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PROJET DE LOI

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The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991

THE STATES, in pursuance of their Resolutions of 27th April 1988^a and 13th December 1990^b, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Transfer of functions of Committees etc.

1. (1) The States may by Ordinance vary any relevant enactment which (in whatever words) –

- (a) confers a function on –
 - (i) a named Committee of the States,
 - (ii) the Constables, the Constables and the Douzaine, the Douzaine, or the Douzeniers of any Parish or any named Parish, or
 - (iii) a named public office or the holder of a named public office, or

^a On Article LIV of Billet d'État No. X of 1988.

^b On Article XX of Billet d'État No. XXIV of 1990.

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- (b) empowers the States to confer a function on –
 - (i) a named Committee of the States,
 - (ii) the Constables, the Constables and the Douzaine, the Douzaine, or the Douzeniers of any Parish or any named Parish, or
 - (iii) a named public office or the holder of a named public office,

so as to transfer that function to, or as the case may be, so as to empower the States to confer that function on any person, or office referred to in subsection (2).

- (2) For the purpose of subsection (1), the persons and offices are –
 - (a) in the case of a named Committee of the States –
 - (i) a Committee of a different name (whether formed for the purpose or existing at the time),
 - (ii) the Constables, the Constables and the Douzaine, or the Douzaine, of any Parish, or any named Parish, or
 - (iii) a named public office, or the holder of a named public office,
 - (b) in the case of the Constables, the Constables and the Douzaine, or the Douzaine, of any Parish, or any named Parish –

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- (i) a named Committee of the States,
 - (ii) the Constables, the Constables and the Douzaine, or the Douzaine, of any Parish, or any different named Parish, or
 - (iii) a named public office, or the holder of a named public office,
- (c) in the case of a named public office, or the holder of a named public office –
- (i) a named Committee of the States,
 - (ii) the Constables, the Constables and the Douzaine, or the Douzaine, of any Parish or any named Parish, or
 - (iii) a different named public office or, the holder of a different named public office.]

NOTES

Section 1 was substituted by the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021, section 1(2), with effect from 25th July, 2022.

The following Ordinances have been made under section 1:

*Building Control (Transfer of Functions) Ordinance, 1992;
Catering (Transfer of Functions) (Sark) Ordinance, 1992;
Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance,
1992;
Guernsey Social Security Authority (Transfer of Functions)*

Ordinance, 1993;
Heritage Committee Ordinance, 1994;
Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996;
States Committees and States Engineer (Transfer of Functions) (Alderney) Ordinance, 1999;
States Committees (Transfer of Functions) (Alderney) Ordinance, 1997;
States Committees (Transfer of Functions) (Alderney) (Amendment) Ordinance, 1999;
Sark General Purposes and Advisory Committee (Transfer of Functions) Ordinance, 2001;
States Agricultural and Milk Marketing Board (Transfer of Functions) Ordinance, 2001;
States Committees (Transfer of Functions) (Alderney) (Amendment) Ordinance, 2001;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (Commencement) Ordinance, 2004;
Parole Review Committee (Amendment) Ordinance, 2004;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) (No. 2) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) (No. 3) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2007;
House Committee (Transfer of Functions) Ordinance, 2008;
Sark General Purposes and Finance Committee (Transfer of Functions) (Guernsey) Ordinance, 2009;
Sark General Purposes and Finance Committee (Transfer of Functions) Ordinance, 2009;
Fees, Charges and Penalties (Guernsey) (Amendment) Ordinance, 2010;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2011;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2012;
Control of Borrowing (Repeal) (Bailiwick of Guernsey) Ordinance, 2013;
Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015;
Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) (Guernsey) Ordinance, 2015;
Machinery of Government (Transfer of Functions) (Guernsey) (Amendment) Ordinance, 2015;
Sark General Purposes and Finance Committee (Transfer of Functions) Ordinance, 2015;

Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016;
Sark Machinery of Government (Transfer of Functions) Ordinance, 2017;
Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2017;
Sark Machinery of Government (Transfer of Functions) Ordinance, 2018;
Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2018;
Sark Policy and Performance Committee and Sark Finance and Resources Committee (Transfer of Functions) Ordinance, 2018;
Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019;
Machinery of Government (Transfer of Functions) Ordinance, 2020;
Child Protection (Transfer of Functions) (Sark) Ordinance, 2022;
Guernsey Financial Services Commission (Transfer of Functions) (Fees) (Bailiwick of Guernsey) Ordinance, 2023;
Machinery of Government (Transfer of Functions) Ordinance, 2023;
Machinery of Government (Transfer of Functions) Ordinance, 2025;
Social Insurance (Guernsey) Law (Amendment) Ordinance, 2025;
States Committees (Transfer of Functions) (Alderney) (Amendment) Ordinance, 2025.

[Transfer of functions of Committees etc: Alderney and Sark.

1A. (1) This section applies where a relevant enactment that is applicable throughout the Bailiwick confers a function on a Committee of the States of Alderney or the Chief Pleas of Sark.

(2) Where this section applies, the States of Alderney or the Chief Pleas of Sark may by Ordinance transfer that function to, or empower the States of Alderney or the Chief Pleas of Sark (as the case may be) to confer that function on, such other Committee of the States of Alderney or the Chief Pleas of Sark (as the case may be) as may be prescribed in that Ordinance.]

NOTE

Section 1A was inserted by the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021, section 1(3), with effect from 25th July, 2022.

Renaming of public offices.

2. (1) The States may by Ordinance vary any relevant enactment which (in whatever words) –

- (a) confers a function on the holder of a named public office, or
- (b) empowers the States, or a Committee, to confer a function on the holder of a named public office,

so as to change the name of the public office on the holder of which that function is, or may be, conferred.

(2) This section does not empower the States to change by Ordinance the functions assigned by a relevant enactment to the holder of a public office, but only the name of that office.

NOTE

The following Ordinances have been made under section 2:

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003;

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (Commencement) Ordinance, 2004;

Parole Review Committee (Amendment) Ordinance, 2004;

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2006;

Machinery of Government (Transfer of Functions) (Guernsey) (No. 2) Ordinance, 2006;

Machinery of Government (Transfer of Functions) (Guernsey) (No. 3) Ordinance, 2006;

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2007;

States Treasurer (Transfer of Functions) (Guernsey) Ordinance, 2008;

Administrator of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2009;
Fees, Charges and Penalties (Guernsey) (Amendment) Ordinance, 2010;
Guernsey Competition and Regulatory Authority Ordinance, 2012;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2012;
Control of Borrowing (Repeal) (Bailiwick of Guernsey) Ordinance, 2013;
Noise Abatement (Amendment) Ordinance, 2015;
Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016;
Director of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2018;
Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019.

Ordinances.

3. (1) An Ordinance under this Law –
- (a) may be amended or repealed by a subsequent Ordinance hereunder, and
 - (b) may contain such consequential, incidental, supplementary, transitional and savings provisions as may appear to be necessary or expedient (including, without limitation, provisions making consequential amendments to this Law and any other enactment).
- (2) Any power to make an Ordinance under this Law may be exercised –
- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,

- (b) so as to make, as respects the cases in relation to which it is exercised –
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),
 - (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes,
 - (iii) any such provision either unconditionally or subject to any prescribed conditions.

(3) Without prejudice to the generality of the foregoing provisions of this Law, an Ordinance under this Law –

- (a) may empower any Committee, and any other body, to make or issue orders, rules, regulations, codes or guidance, for the purposes of this Law or any Ordinance made under it,
- (b) may make provision under the powers conferred by this Law notwithstanding the provisions of any enactment for the time being in force,
- (c) may make provision for the purpose of dealing with matters arising out of or related to matters set out in sections 1, 1A, or 2,

- (d) may repeal, replace, amend, extend, adapt, modify or disapply any rule of custom or law, and
- (e) without prejudice to the generality of the foregoing, may make any such provision of any such extent as might be made by *Projet de Loi*, but for the avoidance of doubt may not provide that a person is to be guilty of an offence as a result of any retrospective effect of the Ordinance.]

NOTES

Section 3 was substituted by the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021, section 1(4), with effect from 25th July, 2022.

The following Ordinances were made under section 3:

Building Control (Transfer of Functions) Ordinance, 1992;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (Commencement) Ordinance, 2004;
Parole Review Committee (Amendment) Ordinance, 2004;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) (No. 2) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) (No. 3) Ordinance, 2006;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2007;
States Treasurer (Transfer of Functions) (Guernsey) Ordinance, 2008;
Administrator of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2009;
Fees, Charges and Penalties (Guernsey) (Amendment) Ordinance, 2010;
Guernsey Competition and Regulatory Authority Ordinance, 2012;
Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2011;

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2012;
Control of Borrowing (Repeal) (Bailiwick of Guernsey) Ordinance, 2013;
Machinery of Government (Transfer of Functions) (Guernsey) (Amendment) Ordinance, 2015;
Noise Abatement (Amendment) Ordinance, 2015;
Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016;
Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2017;
Director of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2018;
Sark Machinery of Government (Transfer of Functions) Ordinance, 2018;
Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2018;
Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019;
Machinery of Government (Transfer of Functions) Ordinance, 2020;
Guernsey Financial Services Commission (Transfer of Functions) (Fees) (Bailiwick of Guernsey) Ordinance, 2023;
Machinery of Government (Transfer of Functions) Ordinance, 2023;
Machinery of Government (Transfer of Functions) Ordinance, 2025;
Social Insurance (Guernsey) Law (Amendment) Ordinance, 2025;
States Committees (Transfer of Functions) (Alderney) (Amendment) Ordinance, 2025.

Performance of functions by officers.

4. (1) Subject to subsection (4) of this section –
- (a) a Committee may arrange for any of its functions to be performed in its name by any officer responsible to that Committee, and
 - [(b) a public office may arrange for any of its functions to be performed in its name by any officer responsible to that office, and the holder of a public office may arrange for any of that office-holder's functions to be performed by an officer responsible to that office-holder.]

(2) A function performed by an officer pursuant to an arrangement made under this section is for all purposes performed by [the Committee, office-holder or public office concerned]; and every decision taken or other thing done by an officer pursuant to such an arrangement has the same effect as if taken or done at a quorate meeting of [the Committee or public office concerned], or personally by the office holder concerned, as the case may be.

(3) An arrangement under this section for the performance of a function by an officer –

(a) may be varied or terminated at any time by [the Committee, office-holder or public office concerned], but without prejudice to anything done pursuant to the arrangement or to the making of a new arrangement,

(b) does not prevent the performance of the function by [the Committee, office-holder or public office concerned] whilst the arrangement subsists.

(4) This section does not empower –

(a) a Committee to arrange for any legislative function to be performed by an officer, or

(b) [a public office, or the holder of a public office,] to arrange for any judicial function to be performed by an officer.

(5) This section –

- (a) has effect for the removal of any doubt and is not to be construed as impliedly invalidating anything done in conformity with any other enactment or rule of law, either before or after this section comes into force,
- (b) does not permit the making of an arrangement which would clearly be inconsistent with the intention of the function concerned (for example, an arrangement for the holder of a public office to determine, in the name of a Committee, an appeal to that Committee from his own decision).

(6) [...] for the avoidance of doubt, an employee of the Financial Services Commission is responsible to the States [Policy & Resources Committee], if and to the extent that the Commission and that Committee may so agree, in relation to any function connected with finance business, companies and other forms of business undertakings.

NOTES

In section 4,

first, paragraph (b) of subsection (1) was substituted, second, the words "the Committee, office-holder or public office concerned" in square brackets, wherever occurring in subsection (2) and subsection (3), and the words in the second pair of square brackets in subsection (2) were substituted, third, the words in square brackets in subsection (4)(b) were substituted and, fourth, the words omitted in square brackets in subsection (6) were repealed by the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021, section 1, respectively subsection (5), subsection (6), subsection (7) and subsection (8), with effect from 25th July, 2022;

the words in square brackets in subsection (6) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 10(a), with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Policy Council and of its Minister

or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 10(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

In accordance with the provisions of the Direct Taxes (Sark) Law, 2002, section 11(2), Schedule 2, paragraph 4, with effect from 1st May, 2003, for the purposes of this Law and only for those purposes, a person whose services are made available to the Assessor by Chief Pleas pursuant to section 11(4) of the 2002 Law is deemed to be (a) an employee of Chief Pleas, and (b) an officer responsible to the Assessor; and, accordingly, the Assessor may arrange for any of the functions of his office to be performed in his name by such a person to the extent permitted by this section of this Law.

In accordance with the provisions of the Legal Aid (Bailiwick of Guernsey) Law, 2003, section 2, First Schedule, paragraph 2(2), with effect from 28th September, 2005 and for the avoidance of doubt, to the extent that the services of a States employee are made available to the Administrator as required by that paragraph, it is hereby declared that for the purposes of this Law (a) that employee is an officer responsible to the Administrator, and (b) the Administrator may arrange for any of the functions of his office to be performed in his name by that employee to the extent permitted by this section of this Law.

In accordance with the provisions of the Aviation (Bailiwick of Guernsey) Law, 2008, section 1, Schedule 1, paragraph 12(2), with effect from 1st February, 2009 and for the avoidance of doubt, to the extent that the services of a States employee are made available to the Director of Civil Aviation as required by that paragraph, it is hereby declared that for the purposes of this Law (a) that employee is an officer responsible to the Director, and (b) the Director may arrange for any of the functions of his office to be carried out or performed in his name by that employee to the extent permitted by this section of this Law.

In accordance with the provisions of the Tobacco Products (Guernsey) Ordinance, 2014, section 23, with effect from 1st June, 2015, this section has effect in relation to the functions of the States of Guernsey Committee for Health & Social Care and the licensing officer under that Ordinance as if –

- (a) the reference to "any officer responsible to that Committee" in subsection (1)(a) includes a reference to any employee of the States of Guernsey (whether or not that employee is responsible to the Committee for Health & Social Care), and*
- (b) the office of licensing officer is a public office for the purposes of subsection (1)(b) of this Law.*

In accordance with the provisions of the Regulation of Health Professions

(Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015, section 6, with effect from 3rd December, 2015, this section has effect in relation to the functions of the Committee for Health & Social Care under that Ordinance as if the reference to "any officer responsible to that Committee" in subsection (1)(a) includes a reference to any employee of the States of Guernsey (whether or not that employee is responsible to the Committee for Health & Social Care).

In accordance with the provisions of the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017, section 13, with effect from 1st June, 2017, this section has effect in relation to the functions of the States of Guernsey Committee for Health & Social Care (the "Guernsey Committee") under that Ordinance as if the reference to "any officer responsible to that Committee" in subsection (1)(a) includes a reference to any employee of the States of Guernsey or the Chief Pleas of Sark (whether or not that employee is responsible to the Guernsey Committee).

In accordance with the provisions of, first, the European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016, section 39, second, the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2019, section 38 and, third, the European Communities (Food and Feed Controls) (Sark) Ordinance, 2019, section 38, all with effect from 3rd October, 2019, this section has effect in relation to the functions of the States of Guernsey Committee for Health & Social Care under those Ordinances as if the references to "any officer responsible to that Committee" in subsection (1)(a) includes a reference to any authorised officer, whether or not the authorised officer is responsible to the Guernsey Committee.

In accordance with the provisions of the European Communities (Official Controls) (Implementation and General Provisions) (Guernsey) Ordinance, 2019, section 3(4), with effect from 14th December 2019, this section has effect in relation to the functions of a Committee as if the reference to "any officer responsible to that Committee" in subsection (1)(a) includes a reference to any Designated Officer appointed by a Committee designated by section 1(1) of the 2019 Ordinance, whether or not the Designated Officer is in fact responsible to that Committee.

In accordance with the provisions of the Employment and Equal Opportunities Service (Guernsey) Law, 2023, section 1(10), with effect from 1st October, 2023 and for the purposes of this Law, the Office of the Director of the Employment and Equal Opportunities Service is a public office, and the Director of the Employment and Equal Opportunities Service is an office holder.

Interpretation.

5. (1) In this Law, unless the context otherwise requires –

"Committee" means any Authority, Board, Committee or Council of the States constituted by a Resolution or Law approved by the States,

"the Financial Services Commission" means the Guernsey Financial Services Commission established by the Financial Services Commission (Bailiwick of Guernsey) Law, 1987^c,

"function" includes every power and duty which is or may be given to or imposed on a Committee, the [a public office], or an office holder, whether by an enactment, resolution of the States, rule of law, custom or otherwise,

"judicial function" means a power to hear or determine any question arising in proceedings before a court or tribunal,

"legislative function" means a power to make any regulations, rules, order, scheme or other instrument of a legislative character,

[**"officer"** means an employee of the States, or of the public office concerned (as the case may be); and an officer is **"responsible to"** a Committee if that officer is an employee of the States, and is **"responsible to"** a public office, or to the holder of a public office, where that officer is an employee of that public office or the holder of that public office,]

[**"public office"** means any office, authority or body, however created, to which functions of a public nature are specifically assigned by an enactment, and for the avoidance of doubt includes the Financial Services Commission, and **"office-holder"** and related terms are to be construed accordingly,]

^c Order in Council No. XIX of 1987.

"relevant enactment" means any Law, and any Act of Parliament extended to the Bailiwick,

"the States" –

- (a) in relation to a function which is or may be conferred on a Committee of the States of Alderney[, a named public office in Alderney or the holder of a named public office in Alderney], by a relevant enactment which is applicable only in Alderney, means the States of Alderney,
- (b) in relation to a function which is or may be conferred on a Committee of the Chief Pleas of Sark[, a named public office in Sark or the holder of a named public office in Sark], by a relevant enactment which is applicable only in Sark, means the Chief Pleas of Sark,
- (c) in any other case, means the States of Guernsey.

(2) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of this Law throughout the Bailiwick.

NOTES

In section 5, first, the words in square brackets in the definition of the expression "function" were substituted, second, the definition of the expression "officer" and, third that of "public office" were both substituted and, fourth, the words in the first and second pairs of square brackets in the definition of the expression "the States" were substituted by the Public

^d Ordres en Conseil Vol. XIII, p. 355.

Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021, section 1(9) respectively paragraph (a), paragraph (b), paragraph (c) and paragraph (d), with effect from 25th July, 2022.

In accordance with the provisions of the Intellectual Property (Office of Registrar) (Bailiwick of Guernsey) Ordinance, 2005, section 1(6)(a), with effect from 1st January, 2006, the Office of the Registrar of Intellectual Property is a public office for the purposes of this Law; and, in accordance with the provisions of section 1(6)(b) of the 2005 Ordinance, the Registrar of Intellectual Property is an office holder for those same purposes, with effect from that same date.

In accordance with the provisions of the Companies (Guernsey) Law, 2008, section 495(6)(a), with effect from 12th June, 2008, the Office of the Registrar of Companies is a public office for the purposes of this Law; and, in accordance with the provisions of section 495(6)(b) of the 2008 Law, Registrar of Companies is an office holder for those same purposes, with effect from that same date.

In accordance with the provisions of the Charities etc. (Guernsey and Alderney) Ordinance, 2021, section 1(6)(a), with effect from 29th April, 2022, the Office of the Registrar of Charities and other Non Profit Organisations is a public office for the purposes of this Law; and, in accordance with the provisions of section 1(6)(b) of the 2021 Ordinance, the Registrar of Charities and other Non Profit Organisations is an office holder for those same purposes, with effect from that same date.³

In accordance with the provisions of the Charities and Non Profit Organisations (Registration) (Sark) Law, 2010, section 2(6)(a), with effect from 11th May, 2010, the Office of the Registrar of Non Profit Organisations is a public office for the purposes of this Law; and, in accordance with the provisions of section 2(6)(b) of the 2010 Law, the Registrar of Non Profit Organisations is an office holder for those same purposes, with effect from that same date.

In accordance with the provisions of the Aviation Registry (Guernsey) Law, 2013, section 1(6)(a), with effect from 21st October, 2013, the Office of the Aircraft Registrar is a public office for the purposes of this Law; and, in accordance with the provisions of section 1(6)(b) of the 2013 Law, the Aircraft Registrar is an office holder for those same purposes, with effect from that same date.

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

Citation.

6. This Law may be cited as the Public Functions (Transfer and

Performance) (Bailiwick of Guernsey) Law, 1991.

NOTE

The Law received Royal Sanction on 19th December, 1991 and was registered on the Records of the Island of Guernsey and came into force on 11th February, 1992.

1 These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 1(a), with effect from 6th May, 2004.

2 The functions, rights and liabilities of the Policy Council and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Advisory and Finance Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 1(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

3 Similar provision was previously made in accordance with the provisions of the Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008, section 1A(6)(a) and (b), with effect from 3rd November, 2008.