

STATES OF ALDERNEY

ORDINANCE OF THE STATES

Made 2nd March, 1988
Coming into force 1st April, 1988

THE PUBLIC VEHICLES (TRANSFER OF FUNCTIONS)
ORDINANCE, 1988

THE STATES, in pursuance of their Resolution of the 2nd day of March, 1988, hereby order:-

Transfer of Functions.

1. The functions now vested in the States of Alderney Public Works Committee under Part III of the Alderney Road Traffic and Public Highways Ordinance, 1966 are transferred to the States of Alderney Tourism and Transport Committee with effect from 1st April, 1988.

Consequential amendments.

2. In consequence of the transfer of functions effected by section 1 of this Ordinance, the Alderney Road Traffic and Public Highways Ordinance, 1966 is amended as follows:-

(a) in section 1(1) for the definition of "the Committee" there is substituted:

"the Committee" means -

- (a) in Parts II and IV, the States of Alderney Public Works Committee;
- (b) in Part III, the States of Alderney Tourism and Transport Committee;";

(b) in section 35(1), the words "made by the Committee are repealed;

(c) in section 35(2), the words "by the Committee are repealed;

(d) in section 35(3), for "The Committee" there is substituted "The States of Alderney Public Works Committee or, as the case may be, the States of Alderney Tourism and Transport Committee.

Savings and transitional provisions.

3. The Schedule to this Ordinance (which contains savings and transitional provisions) shall have effect.

Citation and collective title.

4.(1) This Ordinance may be cited as the Public Vehicles (Transfer of Functions) Ordinance, 1988.

(2) This Ordinance and the Alderney Road Traffic and Public Highways Ordinances, 1966 and 1986 may be cited together as the Alderney Road Traffic and Public Highways Ordinances, 1966 and 1988.

Commencement.

5. This Ordinance shall come into force on 1st April, 1988.

Savings and transitional provisions**Application and interpretation**

1.(1) This Schedule shall have effect on and after 1st April, 1988 in relation to anything done or commented before that date pursuant to, or in connection with, a transferred function as if this Ordinance had been in force on the date when the thing was done or commenced.

(2) In this Schedule "transferred function" means a function transferred to the States of Alderney Tourism and Transport Committee by section 1 of this Ordinance.

Saving for regulations.

2. The Public Vehicle Regulations, 1986 shall be deemed to have been made by the States of Alderney Tourism and Transport Committee on 7th October, 1986.

Licences, conditions, etc.

3.(1) Any public vehicle licence, any road service licence and any licence to drive a public vehicle granted by the States of Alderney Public Works Committee, and any condition imposed or specification made by that Committee in respect of any such licence, shall be deemed to have been granted, imposed or made by the States of Alderney tourism and Transport Committee on the date on which it was in fact granted, imposed or made.

(2) Any approval or direction given, and any notice served, by the States of Alderney Public Works Committee under a transferred function shall be deemed to have been given or served by the States of Alderney Tourism and Transport Committee on the date on which it was in fact given or served.

Pending applications.

4. Any application made to the States of Alderney Public Works Committee in connection with a transferred function shall, if it has not been finally determined or withdrawn, be deemed to have been made to the States of Alderney Tourism and Transport Committee on the date when it was in fact made.

Preservation of rights of appeal etc.

5. Any decision taken by the States of Alderney Public Works Committee under a transferred functions to refuse to grant a licence, to

attach a condition to a licence, to vary any such condition or to revoke or suspend a licence shall be deemed to have been taken by the States of Alderney Tourism and Transport Committee on the date when it was in fact taken.

Legal proceedings.

6.(1) Any legal proceedings in relation to a transferred function to which the States of Alderney Public Works Committee is a party may be continued as if the States of Alderney Tourism and Transport Committee were a party thereto instead of the former Committee.

(2) Any criminal investigation or prosecution may be instituted or continued, and any punishment may be imposed, as if this Ordinance had not been passed.

Record of licences.

7. The record which the States of Alderney Public Works Committee caused to be kept in accordance with section 16 of the Alderney Road Traffic and Public Highways Ordinance, 1966 shall be delivered to the States of Alderney Tourism and Transport Committee on 1st April 1988 and thereafter the latter Committee should be deemed to have caused it to be kept.

Other uncompleted matters.

8. Nothing done by the States of Alderney Public works Committee under or in connection with a transferred function is invalidated by this Ordinance; and anything commenced by that Committee under or in connection with a transferred function may be carried on and completed by the States of Alderney Tourism and Transport Committee.