

Island of  Guernsey

Ordinance of the States **XXIV**
1992

Made 30th September, 1992.

The Island Traffic Committee (Transfer of Functions)
(No. 2) Ordinance, 1992

THE STATES, in pursuance of their Resolutions of 12th March, 1987(a) and 29th July, 1992(b), and in exercise of the powers conferred upon them by the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991(c) and of all other powers enabling them in that behalf, hereby order:-

Transfer of functions of Island Traffic Committee

1. The functions of the Island Traffic Committee under the enactments specified in Schedule 1 hereto are transferred to the States Traffic Committee.

Savings

2. Anything done before the date of commencement of this section by or in relation to the Island Traffic

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- (a) Article XVIII of Billet d'État No. IV of 1987.
 - (b) Article I of Billet d'État No. XVI of 1992.
 - (c) Ordres en Conseil No. XXI of 1991.

Committee or any other Committee or person previously having exercised the functions herein transferred, and anything in the process of being done on that date, shall have effect as if done, or (as the case may be) may be continued, by or in relation to the States Traffic Committee.

Transfer of functions of Board of Administration etc

3. (1) The functions of the States Board of Administration and States Supervisor under the Law entitled "Loi Supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939"(d) and under the Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957(e) are transferred to the States Traffic Committee.

(2) The functions of the Inspector or Deputy Inspector of Police under section 10(b) of the Law entitled "Loi Supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939" are transferred to the States Traffic Committee.

(3) Anything done before the commencement of this section by the Island Traffic Committee or its President and purported to have been done under any of the enactments specified in subsections (1) or (2) shall be deemed to have been lawfully done.

Amendments

4. The enactments specified in Schedule 2 are amended as therein mentioned.

(d) Ordres en Conseil, Vol. XI, p. 299; Vol. XXII, p. 530.

(e) Ordres en Conseil, Vol. XVII, p. 241.

Repeals

5. The enactments specified in Schedule 3 are repealed.

Reference to enactments

6. Any reference in this Ordinance to any enactment shall be deemed to be a reference to that enactment as amended.

Citation

7. This Ordinance may be cited as the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992.

Commencement

8.(1) The provisions of sections 1 (including Schedule 1), 2, 6 and 7 of this Ordinance shall be deemed to have commenced on 29th July, 1992.

(2) The remaining provisions of this Ordinance shall commence on the date when this Ordinance is made.

SCHEDULE 1

Section 1

Functions of Island Traffic Committee transferred to States Traffic Committee

1. The Law entitled "Loi relative aux Automobiles" registered on the 11th day of December, 1926(f).

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- (f) Ordres en Conseil, Vol. VIII, p. 56; Vol. IX, pp. 257 and 299; Vol. XI, pp. 121, 130 and 299; Vol. XII, p. 380; Vol. XIV, p. 436; Vol. XV, p. 43; Vol. XVI, p. 121; Vol. XVII, pp. 11, 241 and 246; Vol. XVIII, p. 257; Vol. XIX, p. 164; Vol. XX, p. 246; Vol. XXI, p. 113; Vol. XXII, pp. 227 and 530; Vol. XXVII, p. 415; No. VI of 1991.

2. The "Ordonnance relative au Trafic Véhiculaire en cette Ile" of the 2nd March, 1929(g).
3. The Vehicular Traffic (Motor Licences) Ordinances, 1932 to 1976(h).
4. The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936(i).
5. The Traffic Temporary Regulations Ordinance, 1950(j).
6. The Motor Vehicles (Provisional Driving Licences) Ordinance, 1958(k).

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- (g) Recueil d'Ordonnances Tome VIII, pp. 184, 194, 200, 204 and 205; Tome X, pp. 9, 59 and 176; Tome XIII, pp. 236 and 292; Tome XIV, p. 319; Tome XVI, p. 187; Tome XXI, p. 190; Tome XXII, p. 125; Tome XXIII, pp. 26 and 404; Nos. IX and XII of 1990; Ordre en Conseil No. VI of 1991.
- (h) Recueil d'Ordonnances, Tome VI, p. 89; Tome VIII, pp. 226 and 229; Tome XIV, p. 125; Tome XV, pp. 219 and 370; Tome XVI, pp. 14 and 503; Tome XX, p. 445; Tome XXI, p. 190; Ordre en Conseil No. VI of 1991.
- (i) Ordres en Conseil, Vol. X, p. 388; Vol. XV, p. 43; Vol. XVIII, pp. 35 and 257; Vol. XX, p. 246; Vol. XXIII, p. 227; Vol. XXVII, pp. 76 and 415; Vol. XXVIII, p. 303; Vol. XXIX, p. 214; Vol. XXX, p. 243; No. XVIII of 1989; Nos. I and VI of 1991.
- (j) Recueil d'Ordonnances, Tome X. p. 59; No. XII of 1990.
- (k) Recueil d'Ordonnances, Tome XII, p. 76; XVI, p. 501; Ordre en Conseil No. VI of 1991.

7. The Road Traffic (Speed Limits and Trailers) Ordinance, 1959(l).
8. The Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962(m).
9. The Road Traffic (Parking Places) Ordinance, 1963(n).
10. The Motor Vehicles (Driving Licences) Law, 1963(o).
11. The Motor Vehicles (Driving Licences) Ordinance, 1963(p).
12. The Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 1970(q).

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- (l) Receuil d'Ordonnances, Tome XII, p. 96; Tome XIV, p. 97; Tome XXIII, p. 422; Tome XXIV, p. 20; No. VI of 1989.
 - (m) Receuil d'Ordonnances, Tome XIII, p. 87; Tome XIV, p. 152; Tome XV, p. 384; Tome XVI p. 501; Tome XXI, p. 190; Tome XXIII, pp. 310 and 422; No. XXX of 1990; Ordre en Conseil No. VI of 1991.
 - (n) Receuil d'Ordonnances, Tome XIII, p. 292; Tome XXI, p. 525; Tome XXII, p. 49; Tome XXIV, pp. 275 and 481.
 - (o) Ordres en Conseil, Vol. XIX, p. 164; No. VI of 1991.
 - (p) Receuil d'Ordonnances, Tome XIII, p. 301; No. VI of 1991.
 - (q) Receuil d'Ordonnances, Tome XVI, p. 339; Tome XVII, p. 324; Tome XVIII, p. 124; Tome XX, p. 218 and 245; Tome XXI, p. 406; Tome XXII, p. 408; Tome XXIII p. 27; Tome XXIV, p. 354; No. VI of 1989.

13. The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinances, 1972 to 1981(r).

14. The Motor Vehicles (International Circulation) Ordinances, 1974 and 1990(s).

15. The Motor Vehicles (International Motor Insurance Card) Ordinance, 1974(t).

16. The Public Transport (Guernsey) Law, 1984(u).

17. The Road Traffic (Lower Vauvert) (Clearway) Ordinance, 1984(v).

18. The Road Traffic (Bordage) (Clearway) Ordinance, 1984(w).

19. The Road Traffic (Fountain Street) (Clearway) Ordinance, 1984(x).

(r) Recueil d'Ordonnances, Tome XVIII, p. 130; XIX, p. 318; XXI, p. 188; XXII, p. 104; Ordre en Conseil No. VI of 1991.

(s) Recueil d'Ordonnances, Tome XIX, p. 285; No. V of 1990; Ordre en Conseil No. VI of 1991.

(t) Recueil d'Ordonnances, Tome XIX, p. 318; Ordre en Conseil No. VI of 1991.

(u) Ordres en Conseil, Vol. XXVIII, p. 423.

(v) Recueil d'Ordonnances, Tome XXIII, pp. 32 and 422; No. V of 1989; No. XII of 1990.

(w) Recueil d'Ordonnances, Tome XXIII, pp. 66 and 422; No. V of 1989; No. II of 1980.

(x) Recueil d'Ordonnances, Tome XXIII, pp. 69 and 422; Tome XXIV, p. 275; No. V of 1989; No. XII of 1990.

20. The Public Transport Ordinance, 1986(y).
21. The Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1986(z).
22. The Motor Taxation and Licensing (Guernsey) Law, 1987(aa).
23. The Traffic Signs and Traffic Light Signals Ordinance, 1988(ab).
24. The Vehicular Traffic (Control of Parking on Certain States Land) Ordinance, 1988(ac).
25. The Lighting of Vehicles and Skips Ordinance, 1988(ad).
26. The Prohibited and One-Way Streets Ordinance, 1989(ae).

(y) Recueil d'Ordonnances, Tome XXIII, p. 351; XXIV, p. 265; No. V of 1989; No. LII of 1990.

(z) Recueil d'Ordonnances, Tome XXIII, p. 393; XXIV, p. 264; No. LII of 1990.

(aa) Ordres en Conseil, Vol. XXX, p. 341; No. VI of 1991.

(ab) Recueil d'Ordonnances, Tome XXIV, pp 275 and 418; Nos. V, IX and XXIX of 1989.

(ac) Recueil d'Ordonnances, Tome XXIV, p. 488; No. V of 1989.

(ad) Recueil d'Ordonnances, Tome XXIV, p. 356; No. V of 1989.

(ae) Recueil d'Ordonnances, No. XXIX of 1989; No. XXXI of 1990; Nos. VI and XIX of 1991.

27. The Road Traffic (Disabled Persons) Ordinance, 1991(af).

SCHEDULE 2

Section 4

Amendments

1. In the "Loi relative aux Automobiles" registered on the 11th day of December, 1926, in the definition of "Conseil", for the words "le Conseil Administratif des États" substitute the words "le Conseil intitulé "States Traffic Committee"".

2. In the "Ordonnance relative au Trafic Véhiculaire en cette Ile" of the 2nd March, 1929 -

(a) in the definition of "permit to drive" delete the expression "States Board of Administration" and substitute "Committee";

(b) the definitions of "The Committee" and "the Board" and the definition of "The Committee" in relation to Article VIII(4) are repealed and the following definition substituted:

"The expression "the Committee" shall mean the States Traffic Committee or such other Committee as the States may by Resolution prescribe.";

(c) in Article VIII(4), for "Board" substitute "Committee";

(af)Receuil d'Ordonnances, Nos. XX and XXXVI of 1991.

(d) in the proviso to Article VIII(4), for "States Supervisor" in both places where that expression occurs substitute "Committee" and for "him" in the first place where it occurs substitute "it";

(e) in Article X(1) and (2), delete the words "Island Traffic".

3. In the Vehicular Traffic (Motor Licences) Ordinances, 1932 to 1976 -

(a) for "Board" in each place where it occurs substitute "Committee"; and

(b) add the following definition to "DEFINITIONS" -

"The term "Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe."

4. In section 14 of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, for "States Supervisor" substitute "President of the States Traffic Committee".

5. In the "Loi supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939 -

(a) in section 2, for "le Conseil Administratif des États" substitute "le Conseil intitulé "States Traffic Committee"";

(b) in section 10(b) -

(i) delete "au Superviseur des États";

(ii) delete "de l'Inspecteur ou du Député Inspecteur de la Police Salariée" and substitute "du Président ou fonctionnaire principal du dit "States Traffic Committee";

(iii) delete "le Comité pour la Police Salariée" and substitute "le dit "States Traffic Committee";

(c) in section 10(c), for "Superviseur des États" substitute "le dit "States Traffic Committee".

6. In section 1 of the Traffic (Temporary Regulations Ordinance, 1950, for "Island Traffic Committee" substitute "States Traffic Committee or such other Committee as the States may by Resolution prescribe".

7. In the Motor Vehicles (Taxation and Licensing) (Tractors) Law, 1957 -

(a) delete the definition of "the Board" in section 1(1) and substitute the following definition -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;";

(b) in section 1(1), for "the Board" in each place where it appears substitute "the Committee".

8. In the Schedule to the Motor Vehicles (Provisional Driving Licences) Ordinances, 1958, for "Board of Administration" substitute "Traffic Committee" and for "the Board" substitute "the Committee".

9. In section 3 of the Road Traffic (Speed Limits and Trailers) Ordinance, 1959, for "Chief Officer of Police" substitute "States Traffic Committee or such other Committee as the States may by Resolution prescribe".

10. In the Motor Vehicles (Miscellaneous Provisions) Ordinance, 1962 -

(a) add the following definition to section 1 -

"the Traffic Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe";

(b) in section 4, for "States Board of Administration", substitute "Traffic Committee";

(c) in section 5(1)(c), delete "Island";

(d) in section 6(1), delete "States Board of Administration" (hereinafter in this section referred to as "the Board")" and substitute "Traffic Committee";

(e) in section 6(2),(3),(6) and (8) for "the Board" in each place where that expression occurs substitute "the Traffic Committee".

11. In section 1(1) of the Road Traffic (Parking Places) Ordinance, 1963, for "States Island Traffic Committee" substitute "States Traffic Committee or such other Committee as the States may by Resolution prescribe".

12. In the Motor Vehicles (Driving Licences) Law, 1963 -

(a) in sections 1, 2, and 3, for the expression "the Board" wherever it occurs substitute the expression "the Committee";

(b) in section 6(1) delete the definition of "the Board" and substitute the following definition -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

13. In the Motor Vehicles (Driving Licences) Ordinance, 1963 -

(a) in section 1, for "the Board" substitute "the Committee";

(b) in section 3, delete the definition of "the Board" and substitute the following definition -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

14. In section 9(1) of the Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 1970 delete the definition of "the Committee" and substitute the following definition -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

15. In the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Ordinances, 1972 to 1981 -

(a) in sections 5(3), 6, 9 and 10 and in the definition of "a licence under the Law of 1926" in section 15(1), for "the Board" substitute "the Committee";

(b) in section 15(1), delete the definition of "the Board" and substitute the following definition -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

16. In the Motor Vehicles (International Circulation) Ordinances, 1974 and 1990 -

(a) in section 1(1), for "The States Board of Administration (hereafter in this Ordinance

referred to as "the Board")" substitute "The Committee";

(b) in sections 1, 2, 3, 4, 5, 6 and 7, for "the Board" in each place where it occurs substitute "the Committee";

(c) in section 10(1), delete the definition of "the Board" and insert the following definition immediately after the definition of "certificate of insurance" -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;"

and for all other references to "the Board" in section 10(1) substitute "the Committee".

17. In the Motor Vehicles (International Motor Insurance Card) Ordinance, 1974 -

(a) in sections 5 and 6(a), for "the Board" substitute "the Committee";

(b) in section 8(1), delete the definition of "the Board" and insert the following definition after the definition of "Chief Officer of Police" -

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;"

18. In section 4(1) of the Road Traffic (Lower Vauvert) (Clearway) Ordinance, 1984 for the definition of "the Committee" substitute the following definition-

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

19. In section 4(1) of the Road Traffic (Bordage) (Clearway) Ordinance, 1984 for the definition of "the Committee" substitute the following definition-

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

20. In section 4(1) of the Road Traffic (Fountain Street) (Clearway) Ordinance, 1984 for the definition of "the Committee" substitute the following definition-

"the Committee" means the States Traffic Committee or such other Committee as the States may by Resolution prescribe;".

21. In section 1 of the Motor Taxation and Licensing (Guernsey) Law, 1987, for "States Board of Administration" substitute "States Traffic Committee".

22. In section 16(1) of the Traffic Signs and Traffic Light Signals Ordinance, 1988, for "Island Traffic Committee" substitute "States Traffic Committee".

23. In section 1 of the Vehicular Traffic (Control of Parking on Certain States Land) Ordinance, 1988, for

"States Island Traffic Committee" substitute "States Traffic Committee or such other Committee as the States may by Resolution prescribe".

24. In section 30(1) of the Lighting of Vehicles and Skips Ordinance, 1988, for the "Island Traffic Committee" substitute "States Traffic Committee or such other Committee as the States may by Resolution prescribe".

25. In section 3(1)(a) of the Prohibited and One-Way Streets Ordinance, 1989 delete "Island Traffic Committee" and substitute "States Traffic Committee".

26. In section 15(1) of the Road Traffic (Disabled Persons) Ordinance, 1991, in the definition of "the Committee" for "Island Traffic Committee" substitute "States Traffic Committee".

SCHEDULE 3

Section 5

Repeals

1. The Road Traffic (Transfer of Functions) Ordinance, 1989 (ag).
2. The Road Traffic (Driving School Signs) Ordinance, 1990 (ah).

(ag) Recueil d'Ordonnances No. VI of 1989.

(ah) Recueil d'Ordonnances, No. XXX of 1990.

3. The Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991(ai).

4. The Island Traffic Committee (Transfer of Functions) Ordinance, 1992.

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