

PROJET DE LOI

ENTITLED

The Public Thoroughfares (Amendment) (Guernsey) Law, 1990 *

[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. XXXII, p. 99. See also the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016).

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ARRANGEMENT OF SECTIONS

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THE STATES, in pursuance of their Resolution of the 29th day of April, 1987, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey and Herm.

Constitution of States Public Thoroughfares Committee.

1. (1) The references in Article XIX of the Law entitled "Loi relative a l'Entretien des Voies Publiques" registered on the 26th day of November, 1904, (hereinafter referred to as "**the Law of 1904**")^a and in Article 1 of the Law entitled "Loi pour l'Entretien des Rues de la Paroisse de St. Pierre-Port et la Reconstitution du Comité des Voies Publiques de l'Île" registered on the 13th day of December, 1919, (hereinafter referred to as "**the Law of 1919**")^b, to the Comité des voies publiques shall be construed as references to the States Public Thoroughfares Committee (hereinafter in this section referred to as "**the Committee**").

(2) The constitution of the Committee shall be such as shall, from time to time, be prescribed by the States by Resolution.

NOTE

In accordance with the provisions of the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 23, with effect from 6th May, 2004, with effect from 6th May, 2004, the Public Thoroughfares Committee was replaced by the Public Services Department; and the functions, rights and liabilities of the Public Thoroughfares Committee and of its President arising under or by virtue of

^a Ordres en Conseil Vol. III, p. 397.

^b Ordres en Conseil Vol. VI, p. 166.

this Law were transferred to and vested in, respectively, the Public Services Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 23, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance. In accordance with the provisions of the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 12(a), with effect from 1st May, 2016, the Public Services Department has since been replaced by the Committee for the Environment & Infrastructure; and the functions, rights and liabilities of the Public Services Department and of its Minister or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 12(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

Repeal.

2. Subject to the provisions of section 3 of this Law (Savings), section 4 of the States Committees (Amendment) Law, 1966, (hereinafter referred to as "**the Law of 1966**")^c, is hereby repealed.

Savings.

3. On the date of the reconstitution of the Committee first occurring as shall be prescribed by the States by Resolution in accordance with the provisions of section 1 of this Law, the President and every other member of the former Committee in office on that date shall be deemed to have resigned:

Provided that such President and every such other member shall be deemed lawfully to continue in office during the period between the date of registration of this Law on the records of the Island of Guernsey and the date of the reconstitution of the Committee as aforesaid and the acts of the former Committee during such aforesaid period shall be valid and binding for all purposes and on all persons accordingly and anything in process of being done under or by virtue of the Law of 1966 by, or in relation to the former Committee, at such aforesaid date, whether by way of legal proceedings or otherwise, may be continued by, or in relation to the reconstituted Committee and in this section, the expression "**former Committee**" means the Committee constituted under the Law of 1966, the expression "**reconstituted Committee**" means the Committee constituted under this Law and in this section the

^c Ordres en Conseil Vol. XX, p. 135.

expression "**Committee**" shall be construed accordingly.

Interpretation.

4. Except where the context otherwise requires, any reference in this Law to any other enactment shall be construed as including a reference to that enactment as amended, repealed, replaced, extended or applied by or under any other enactment including this Law.

Construction.

5. This law shall be construed as one with the Law of 1904, the Law of 1919 and the Law of 1966.

Citation.

6. This Law may be cited as the Public Thoroughfares (Amendment) (Guernsey) Law, 1990.

NOTE

The Law received Royal Sanction on 1st May, 1990 and was registered on the Records of the Island of Guernsey and came into force on 19th June, 1990.
