

Island of Guernsey

Ordinance of the States **XXXVIII** **1988**

Made 26th October, 1988.
Came into Operation ... 26th October, 1988.

The Road Traffic (Parking Places) (Amendment) Ordinance, 1988

THE STATES, in pursuance of their Resolution of the 28th day of July, 1988, hereby order:—

1. The Road Traffic (Parking Places) Ordinance, 1963, as amended (hereinafter referred to as “the principal Ordinance”)(*a*), is hereby further amended as follows:—

Amend-
ments to
Ordinance
of 1963.

- (*a*) in section 1(1) thereof the words “Island Police Committee” are repealed and the words “States Island Traffic Committee” are substituted therefor;
- (*b*) in section 1(1) thereof the full stop at the end of paragraph (*e*) is deleted and a semi-colon is substituted therefor and immediately thereafter the additional paragraph lettered “(*f*)” is inserted—

(*a*) Recueil d'Ordonnances Tome XIII, p. 292; Tome XXI, p. 525; Tome XXII, p. 49.

“(f) prescribe the period during which a person, being in charge of a vehicle or a motor bicycle, shall not park that vehicle or motor bicycle in a disc parking place or an approved parking place.”;

- (c) immediately after section 1(2) thereof there are inserted the following additional subsections numbered “(3)” and “(4)”—

“(3)” In any case where the Committee proposes to make an order under this section, the Committee shall publish in “La Gatette Officielle” a notice of the Committee’s proposal, stating the terms of the draft order, the address to which objections to the proposal may be sent and the period, which shall be not less than seven days beginning with the date on which the notice is published in accordance with this subsection, within which any such objection may be so sent.

((4) The Committee shall before making an order under this section consider any objection sent to the Committee in accordance with a notice under subsection (3) of this section.”;

- (d) immediately after section 4 thereof there are inserted the following additional sections numbered “4A” and “4B”—

<p>“Prohibition against re-parking in specified parking places within the prescribed period and time.</p>	<p>4A. (1) An order made under the provisions of section 1 of this Ordinance may include a provision prohibiting the re-parking of any vehicle within the period and time as shall be prescribed in the order in any disc parking place or approved</p>
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parking place as shall for the purposes of this section be prescribed in the order; and different periods and times may be prescribed in respect of different disc parking places and approved parking places.

(2) Where a person, being in charge of a vehicle, has removed that vehicle in compliance with the requirements of section 4 of this Ordinance from any disc parking place or approved parking place to which the provisions of this section applies, he shall not re-park that vehicle or cause or permit any other person to re-park that vehicle within any part of that disc parking place or approved parking place, as the case may be, within the period and time prescribed in respect thereof beginning with the time of such aforesaid removal.

Trade and
business
prohibited.

4B. A person, being in charge of a vehicle or motor bicycle shall not park that vehicle or motor bicycle in any disc parking place or approved parking place and engage, or cause or permit any other person to engage, in any trade or business in or from that vehicle or motor bicycle, as the case may be, while so parked.”;

- (e) in section 5 thereof immediately after the word "signs" there are inserted the words "(hereinafter referred to as "parking signs")";
- (f) immediately after section 6 thereof there are inserted the following additional sections numbered "6A" and "6B"—

"Parking in parking places with permission.

6A. (1) An order made under the provisions of section 1 of this Ordinance may include a provision empowering the Committee or the Chief Officer of Police, as shall be specified in the order, to give permission in writing authorising a person, being in charge of a vehicle or motor bicycle, to park that vehicle or motor bicycle in any disc parking place or approved parking place as shall be specified in the aforesaid permission without compliance with the provisions of the order regulating the parking of vehicles or motor bicycles in any such disc parking place or approved parking place, as the case may be.

(2) For the purposes of this section any power conferred on the Committee to give a permission in any order made under the provisions of section 1 of this Ordinance shall include a like power on any per-

son authorised in writing in that behalf by the Committee to give the like permission.

Temporary closure of parking places.

6B. (1) Notwithstanding the provisions of any order made under the provisions of section 1 of this Ordinance, the Chief Officer of Police or the Committee may in their respective discretion close for any temporary continuous period not exceeding one month any disc parking place or approved parking place by exhibiting or causing to be exhibited thereon in such a manner as to be clearly visible to a person intending to park a vehicle or motor bicycle thereon a notice stating that the disc parking place or approved parking place, as the case may be, is temporarily closed and is not available for the parking of vehicles or motor bicycles and may in their respective discretion re-open such disc parking place or approved parking place by the removal of the said notice:

Provided that where the closure of any disc parking place or approved parking place under the provisions of this section exceeds or is intended to exceed the period of ten days, the Chief Officer

of Police or the Committee, as the case may be, shall publish a notice in "La Gazette Officielle" giving particulars of the closure.

(2) A person, being in charge of a vehicle or motor bicycle, shall not park that vehicle or motor bicycle, as the case may be, in any disc parking place or approved parking place in respect of which a notice of closure is exhibited thereon in accordance with the provisions of subsection (1) of this section.";

(g) in section 7(a) thereof the words "section three or section four" are repealed and the words "section 3, section 4, section 4 A(2), section 4 B or section 6 B(2)" are substituted therefor;

(h) in section 8 thereof—

(i) immediately before the definition of the expression "park" there is inserted the following additional definition—

"Chief Officer of Police" means the Chief Officer of the Island Police Force;"

(ii) in the definition of the expression "park", immediately after the word "passengers" there are inserted the words "and the expression "re-park" shall be construed accordingly".

2. Any order made by the Island Police Committee under the provisions of section 1 of the principal Ordinance and in force immediately before the coming into force of this Ordinance shall continue in force as though it were made by the States Island Traffic Committee under the provisions of the said section 1 of the principal Ordinance as amended by this Ordinance until repealed or varied by an order made under the provisions of the principal Ordinance as amended by this Ordinance.

Savings for orders.

3. Any parking sign erected by the Island Police Committee under the provisions of section 5 of the principal Ordinance and in place immediately before the coming into force of this Ordinance shall be deemed to have been erected by the States Island Traffic Committee under the provisions of the aforesaid section 5 of the principal Ordinance as amended by this Ordinance.

Savings for parking signs.

4. Nothing contained in any provisions of the principal Ordinance or any order made thereunder shall affect the operation within any disc parking place or approved parking place of any designation of a no-waiting area or the allocation of any area reserved for the loading and unloading of vehicles made pursuant to the provisions of any other enactment for the time being in force.

Savings for no-waiting and loading and unloading bays.

5. Nothing contained in any provisions of the principal Ordinance or any order made thereunder shall take away or abridge any right of entry to or egress from any vehicular access to any property adjoining any disc parking place or approved parking place.

Savings for vehicular access to property.

6. This Ordinance shall be construed as one with the principal Ordinance.

Construction.

Citation. 7. This Ordinance may be cited as the Road Traffic (Parking Places) (Amendment) Ordinance, 1988.

Collective title. 8. This Ordinance and the Road Traffic (Parking Places) Ordinances, 1963 to 1981, may be cited together as the Road Traffic (Parking Places) Ordinances, 1963 to 1988.

K. H. TOUGH,
Her Majesty's Greffier.

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 40p