

Island of  Guernsey

Ordinance of the States **XL**
1988

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

**The Vehicular Traffic (Control of Parking
on Certain States Land) Ordinance, 1988**

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

1. The provisions of this Ordinance shall apply to any roadway (hereinafter referred to as “controlled road”) and to any parking place (hereinafter referred to as “controlled parking place”) on any land set out in the Schedule to this Ordinance (hereinafter referred to as “controlled land”) administered by the States Island Traffic Committee (hereinafter referred to as “the Committee”) and to which the public have access.

Application of the provisions of this Ordinance.

2. (1) Subject to the provisions of the next succeeding subsection, a person being in charge of a vehicle shall not, without the permission in writing of the Committee—

Driving and parking of vehicles on controlled land.

- (a) drive or ride that vehicle on or along any part of the controlled land otherwise than on a controlled road or controlled parking place;
- (b) drive or ride that vehicle on or along a controlled road or controlled parking place otherwise than subject to such conditions, restrictions or prohibitions as the Committee may, from time to time, order or direct, by means of a traffic sign erected, placed or marked on or near the controlled road or controlled parking place, as the case may be, by or on behalf of the Committee;
- (c) park that vehicle on any part of the controlled land otherwise than within a controlled parking place;
- (d) park that vehicle on or within any controlled parking place otherwise than for such periods, during such hours and subject to such conditions, restrictions or prohibitions as the Committee may, from time to time, order or direct, by means of a traffic sign erected, placed or marked on or near the controlled parking place by or on behalf of the Committee and, in addition, where the controlled parking place is a disc parking place park that vehicle otherwise than in accordance with the provisions of sections 3, 4 and 5 of this Ordinance.

(2) The provisions of the last preceding subsection shall not apply to the driving or parking of a vehicle on any controlled land, controlled road or controlled parking place where such driving or parking, as the case may be, is in compliance with

the order or direction of an officer of police engaged in the regulation of traffic on such aforesaid land, road or parking place, and in addition, in the case of controlled land specified in item 2 of the Schedule to this Ordinance (land at the South Quay and North Quay being part of the land reclaimed under the North Beach Reclamation Scheme including the Salerie), is in accordance with the order or direction of the States Harbourmaster.

3. A person who, being in charge of a vehicle, parks that vehicle in a disc parking place shall, as soon as may be after arriving thereat, set the clock of a parking disc to indicate the time at which the vehicle arrived at the disc parking place and shall fix the parking disc against the internal face of the windscreen of the vehicle or, if the vehicle has no windscreen at a convenient place, on the left or near side of the vehicle, in such manner that the parking disc may be distinctly seen by a person outside or alongside the vehicle.

Persons must use parking disc in disc parking places.

4. (1) A person, being in charge of a vehicle, shall not allow that vehicle to remain parked in a disc parking place for any continuous period reckoned from the time at which the vehicle arrived thereat, greater than the period as the Committee may, from time to time, order or direct by means of a traffic sign erected, placed or marked in accordance with the provisions of section 2 of this Ordinance as respects that disc parking place and such person shall, at the expiration of such period, remove that vehicle from within the limits of that disc parking place.

Time during which parking is permitted in disc parking places.

(2) For the purposes of the last preceding subsection as respects disc parking places, the time indicated by the clock of a parking disc fixed to a

vehicle parked in a disc parking place shall, until the contrary be proved, be presumed to be the time at which the vehicle last arrived thereat.

Prohibition against re-parking in certain disc parking places within specified period.

5. (1) Without prejudice to the generality of the provisions of section 2 of this Ordinance, the Committee may, from time to time, order or direct, by means of a traffic sign erected, placed or marked in accordance with the provisions of the aforesaid section 2 that the re-parking of any vehicle within the period specified in the next succeeding subsection in any disc parking place as shall for the purposes of this section be set aside by the Committee.

(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 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 within the period as the Committee may, from time to time, order or direct by means of a traffic sign erected, placed or marked in accordance with the provisions of section 2 of this Ordinance as respects that disc parking place.

Application of other enactments relating to the significance of traffic signs.

6. Where a traffic sign erected, placed or marked on or near a controlled road or controlled parking place by or on behalf of the Committee pursuant to any provisions of this Ordinance complies in its specifications with a traffic sign prescribed under the provisions of any enactment for the time being in force regulating its use on a public highway, such a traffic sign shall for the purposes of this Ordinance, but only in the interpretation of its significance, convey the same information, conditions, restrictions or prohibitions, as the case may be, as if

such traffic sign had been a traffic sign used on a public highway pursuant to the provisions of such aforesaid enactment.

7. If any person—

Offences.

(a) does any act in contravention of any of the provisions of this Ordinance; or

(b) does any act in contravention of or fails to comply with any order or direction of the Committee given by a traffic sign pursuant to any of the provisions of this Ordinance;

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

8. If any person who has committed or who is reasonably suspected by an officer of police of having committed an offence under any provisions of this Ordinance, when required by an officer of police to give his name or address, gives a false name or address, he shall be guilty of an offence and liable on conviction, to a fine not exceeding one hundred pounds.

Penalty for giving false name or address.

9. (1) The Traffic Offences (Fixed Penalties) Ordinance, 1975, as amended (a) (hereinafter in this section referred to as "the Ordinance of 1975") is hereby amended in accordance with the provisions of the next succeeding subsection of this section; and an offence under any of the provisions of sections 2, 3, 4 and 5 of this Ordinance is accordingly a schedule offence for the purposes of the Ordinance of 1975.

Amendment to Ordinance of 1975 (Fixed Penalty).

(2) In the First Schedule to the Ordinance of 1975 there is hereby inserted, immediately after item 11 thereof, the following additional item numbered "12"—

(a) Recueil d'Ordonnances Tome XX, p. 120.

“12. Offences punishable under sections 2, 3, 4 and 5 of the Vehicular Traffic (Control of Parking on Certain States Land) Ordinance, 1988 £6.00”.

Interpretation.

10. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“controlled land” has the meaning assigned to it in section 1 of this Ordinance;

“controlled parking place” has the meaning assigned to it in section 1 of this Ordinance;

“controlled road” has the meaning assigned to it in section 1 of this Ordinance;

“disc parking place”, in relation to controlled land, means a parking place on any area of land or any part of a controlled road set aside by order or direction of the Committee as a parking place for vehicles using a parking disc in accordance with the provisions of sections 3, 4 and 5 of this Ordinance;

“enactment” includes any order, rule or regulation made in pursuance of any enactment;

“officer of police” means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;

“parking disc” has the same meaning assigned to it by section 8 of the Road Traffic (Parking Places) Ordinance, 1963(b);

(b) Recueil d'Ordonnances Tome XIII, p. 292; Tome XXI, p. 525; Tome XXII, p. 49; No. XXXVIII of 1988.

“ parking place ”, in relation to controlled land, means any area of land or any part of a controlled road set aside by order or direction of the Committee as a parking place for vehicles;

“ roadway ”, in relation to controlled land, means any roadway whatsoever set aside by order or direction of the Committee as a way for vehicles;

“ traffic sign ” means any object or device (whether fixed or portable) for conveying to persons in charge of vehicles on a controlled road or in a controlled parking place information, conditions, restrictions or prohibitions of any description pursuant to any of the provisions of this Ordinance and any line or mark on a controlled road or controlled parking place for so conveying such information, conditions, restrictions or prohibitions;

“ vehicle ” means a mechanically propelled vehicle and includes a trailer drawn thereby, an animal drawn vehicle, a hand drawn vehicle, a bicycle and tricycle.

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

11. This Ordinance may be cited as the Vehicular **Citation.**
Traffic (Control of Parking on Certain States Land)
Ordinance, 1988.

SCHEDULE

Section 1.

Controlled Land

1. Any part of land at the former Odeon Cinema site and car park in Monument Gardens, Saint Peter Port.
2. Any part of land at the South Quay and North Quay, being part of the land reclaimed under the North Beach Reclamation Scheme (including the Salerie), Saint Peter Port.
3. Any part of land at the Mignot Plateau, Saint Peter Port.

K. H. TOUGH,

Her Majesty's Greffier.

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Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 40p