

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

The Vehicular Traffic (Hospitals, etc.) Ordinance, 1985 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XXIII, p. 263; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); 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). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207); the Offences (Fixed Penalties) (Guernsey) Law, 2009 (No. XV of 2010).

**ORDINANCE
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ARRANGEMENT OF SECTIONS

1. Application of the provisions of this Ordinance.
2. Driving and parking of vehicles on controlled land.
3. Application of other enactments relating to the significance of traffic signs.
4. Offences.
5. Penalty for giving false name or address.
6. Interpretation.
7. Citation.

SCHEDULE Controlled Land.

(Made on 27th June, 1985.)

The Vehicular Traffic (Hospitals, etc.) Ordinance, 1985

THE STATES, in pursuance of their Resolution of the 14th day of March, 1985, hereby order: –

Application of the provisions of this Ordinance.

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 [Committee for Health & Social Care] (hereinafter referred to as "**[the Committee]**") and to which the public have access.

NOTES

In section 1, the words in the first and second pairs of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 2, Schedule 1, paragraph 5 and section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Health and Social Services Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

Driving and parking of vehicles on controlled land.

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] –

Consolidated text

- (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].

(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.

NOTE

In section 2, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.

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

3. 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 the provisions of section two 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.

NOTE

In section 3, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.

Offences.

4. If any person –
- (a) does any act in contravention of any of the provisions of paragraphs (a) or (c) of section 2(1) 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 the provisions of paragraphs (b)

or (d) of section 2(1) of this Ordinance,

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 2 on the uniform scale].

NOTES

In section 4,

the words in the first pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016;

the words and figure in the second pair of square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 4 of this Ordinance may be discharged by payment of a fixed penalty.

Penalty for giving false name or address.

5. 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 [level 2 on the uniform scale].

NOTE

In section 5, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Interpretation.

6. (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 lands" has the meaning assigned to it in section 1 of this Ordinance,

"controlled parking places" 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,

"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 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 the provisions of section 2 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.

NOTES

In section 6, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.

In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.

Citation.

7. This Ordinance may be cited as the Vehicular Traffic (Hospitals, etc.) Ordinance, 1985.

NOTE

The Ordinance was made and came into operation on 27th June, 1985.

SCHEDULE
CONTROLLED LAND

Section 1

1. Any part of land at the Princess Elizabeth Hospital in the parish of Saint Martin.
2. Any part of land at the Duchess of Kent House in the parishes of Saint Martin and Saint Andrew.
3. Any part of land at the King Edward VII Hospital in the parish of the Castel.
4. Any part of land at the Castel Hospital in the parish of the Castel.

¹ The words "Committee for Health & Social Care" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.

² The functions, rights and liabilities of the Health and Social Services Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Board of Health and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 4, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.