

Island of



Guernsey

Ordinance of the States

XXVI
2018

Laid before the States 24th October, 2018

The Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2018

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THE STATES, on the representations of the States Policy & Resources Committee, and in exercise of the powers conferred on them by sections 1 and 3 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991^a, and all other powers enabling them in that behalf, hereby order:-

Transfer of functions under relevant enactments.

1. The functions, rights and liabilities of a committee of the Chief Pleas named in column 1 of the Schedule and of its Chairman arising under or by virtue of any relevant enactment are transferred to and vested in, respectively, the committee named in relation to that committee in column 2 of the Schedule and its Chairman.

Amendment of statutory references.

2. For any reference in any relevant enactment to a committee named in column 1 of the Schedule or its Chairman, however expressed, there is substituted a reference to the committee named in relation to that committee in column 2 of the Schedule or (as the case may be) its Chairman.

Savings and transitional provisions.

3. Anything done before the date of the commencement of this Ordinance or in the process of being done on that date by or in relation to a committee named in column 1 of the Schedule or its Chairman, under or by virtue of any relevant enactment, shall have effect as if done or (as the case may be) may be

^a Ordres en Conseil Vol. XXXIII, p. 478; amended by Ordinance No. XXXIII of 2003; No. IX of 2016.

continued by or in relation to the committee named in relation to that committee in column 2 of the Schedule or (as the case may be) its Chairman.

Subordinate legislation.

4. The provisions of sections 1, 2 and 3 also apply in relation to any subordinate legislation made or having effect as if made under a relevant enactment as they apply to a relevant enactment; and the provisions of the relevant enactment under which the subordinate legislation was made are varied insofar as is necessary to give effect to this section.

Interpretation.

5. (1) In this Ordinance –

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**relevant enactment**" means–

- (a) any Law, and any Act of Parliament extended to the Bailiwick, other than one applicable only in Sark,
- (b) any Ordinance of the States of Deliberation of Guernsey, and
- (c) any subordinate legislation made by any committee, department or council (however called) of the States of Guernsey,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument (including any provision or portion of any such regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument) made under any relevant enactment and having legislative effect.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

6. This Ordinance may be cited as the Sark Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2018.

Commencement.

7. This Ordinance shall come into force –
- (a) in respect of the transfer of functions from the Policy & Performance Committee or the Finance & Resources Committee (as the case may be) to the Policy & Finance Committee, on 24th October, 2018, and
 - (b) in respect of the transfer of functions from the Road Traffic Committee to the Douzaine, on the 11th January, 2019.

SCHEDULE

Section 1 and 2

COMMITTEE FROM WHICH FUNCTIONS ARE TRANSFERRED	COMMITTEE TO WHICH FUNCTIONS ARE TRANSFERRED
Policy & Performance Committee	Policy & Finance Committee
Finance & Resources Committee	Policy & Finance Committee
Road Traffic Committee	Douzaine

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PRICE £3.00

Printed by Colour Monster Printshop, The Guernsey Press Building, Braye Road, St. Sampsons, GY2 4WX.