



**The Parochial Collection of Waste (Guernsey) Law, 2015
(Commencement and Transitional Provisions)
Order, 2018**

Made

30th October, 2018

Coming into operation

1st January, 2019

Laid before the States

, 2018

THE POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on it by sections 19 and 26 of the Parochial Collection of Waste (Guernsey) Law, 2015^a, and of all other powers enabling it in that behalf, hereby orders:-

Commencement of the Parochial Collection of Waste Law.

1. The Parochial Collection of Waste (Guernsey) Law, 2015 shall come into force on the 1st January, 2019.

Transitional provisions.

2. (1) Despite the repeal of the Parochial Collection of Refuse (Guernsey) Law, 2001^b ("the 2001 Law") by section 22(1) of the Parochial Collection of Waste (Guernsey) Law, with effect from 1st January 2019 the following shall

^a Order in Council No. XV of 2015 as amended by Ordinance No. IX of 2016.

^b Order in Council No. IX of 2002 as amended by Order in Council No. XIII of 2004, Ordinance No. IX of 2002 and No. XIX of 2008.

continue to apply as if the 2001 Law remained in force, in respect of a refuse rate levied by a Douzaine of a parish before 1st January, 2019 –

- (a) the liability of a person to pay the refuse rate and the right of the Douzaine to recover any refuse rate which is unpaid, and
- (b) the right of an owner of a dwelling house or a tenement house –
 - (i) to recover the refuse rate from the occupiers thereof, and
 - (ii) to recover from a subsequent owner as set out in section 2(6) of the 2001 Law.

(2) - The terms and expressions used in paragraph (1) have the same meaning as in the 2001 Law.

Citation and commencement.

3. This Order may be cited as the Parochial Collection of Waste (Guernsey) Law, 2015 (Commencement and Transitional Provisions) Order, 2018 and shall come into force on the 1st January, 2019.

Dated this 30th day of October, 2018



G. A. ST PIER

President of the Policy & Resources Committee

For and on behalf of the Committee

EXPLANATORY NOTE (*This
note is not part of the Order*)

This Order provides for the coming into force of the Parochial Collection of Waste (Guernsey) Law, 2015 ("2015 Law") on 1st January, 2019.

The 2015 Law provides for revised functions of the Parishes in relation to the collection of waste from dwelling houses and lodging houses in the Parishes, including a duty to make arrangements for the collection of waste in accordance with requirements of the Waste Disposal Authority; those requirements may provide for kerbside collection of recycling. There is also provision in the Law for Parishes to admit business premises into the Parish waste collection and transfer service.

The 2015 Law also provides for charging for such collections of waste through the levying of a Parish waste rate, the duties on occupiers of dwelling houses, lodging houses and business premises admitted into the service in relation to the putting out of waste for collection (including recycling) by the Parishes and the enforcement of the same (including by civil fixed penalty notices) and the repeal and replacement of the Parochial Collection of Refuse (Guernsey) Law, 2001.

Article 2 of this Order makes transitional provision in relation to the refuse rate levied under the Parochial Collection of Refuse (Guernsey) Law, 2001 to clarify that liability to pay and rights to recover that rate continue to apply despite the repeal of that Law by the 2015 Law.

The Order comes into force on 1st January, 2019.

