



ISLAND OF

ALDERNEY

XVII

ORDINANCE OF THE STATES

2018

The Fees (Alderney) Ordinance, 2018

Made *19th December 2018*

Coming into force *1st January 2019*

ARRANGEMENT OF SECTIONS

1. Miscellaneous fees prescribed in accordance with the Fees Law.
2. Motor vehicle import licence fees prescribed in accordance with the Fees Law.
3. Reimbursement of motor vehicle import fees prescribed under section 2.
4. Fees prescribed under other enactments.
5. Fees in respect of and in connection with marriages.
6. Interpretation.
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SCHEDULE 1: Fees prescribed in accordance with the Fees Law.

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SCHEDULE 3: Fees payable in connection with marriages.

The Fees (Alderney) Ordinance, 2018

THE STATES OF ALDERNEY, in pursuance of their Resolution of the 19th December, 2018, and in exercise of the powers conferred on them by section 3 of the Marriage (Alderney) (Amendment) Law, 1953^a, section 2(3) of the Tourist (Alderney) Law, 1956^b, sections 1(2) and 8(3) of the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987^c, sections 2(8) and 25 of the Water (Control) (Alderney) Law, 1994^d, and sections 1 and 6 of the Fees (Alderney) Law, 2011^e, and all other powers enabling them in that behalf, hereby order:-

Miscellaneous fees prescribed in accordance with the Fees Law.

1. The fees set out in third column of Part I of Schedule 1 are prescribed in accordance with the Fees Law, for the purposes set out in the corresponding row of the second column of Schedule 1 as provided for in the enactment set out in the corresponding row in the first column of Schedule 1.

Motor vehicle import licence fees prescribed in accordance with the Fees Law.

2. The motor vehicle import fees set out in third, fourth and fifth columns of Part II of Schedule 1 are prescribed in accordance with the Fees Law, for the

^a Ordres en Conseil Vol. XV, p. 382 as amended by Ordinance No. VII of 2010.

^b Ordres en Conseil Vol. XVII, p. 29 as amended by Ordres en Conseil Vol. XXII, p.6, Vol. XXVI, p. 251, Vol. XXX, p. 371, Vol. XXXI, p. 306 and Alderney Ordinance No. II of 1997.

^c Ordres en Conseil Vol. XXX, p. 371 as amended by Ordres en Conseil Vol. XXXI, p. 306, Order in Council No. XII of 2003 and No. XX of 2003, Alderney Ordinance No. II of 1997, Ordinance No. XXXIII of 2003 and Ordinance No. IX of 2016.

^d Ordres en Conseil Vol. XXXV(1), p. 247 as amended by Order in Council No. XII of 2003 and Alderney Ordinance No. II of 1997.

^e Order in Council No XX of 2012.

purposes set out in the corresponding row of the second column of Schedule 1 as provided for in the Import and Export (Control) Alderney, Law, 1946 referred to in the corresponding row in the first column of Part II of Schedule 1.

Reimbursement of motor vehicle import fees prescribed under section 2.

3. Where the Clerk of the States is satisfied that a motor vehicle has been permanently exported from the island, the Clerk of the States must reimburse to the person who paid the fee –

- (a) where the vehicle is exported within 28 days starting from the date it was imported into the island, 100% of the fee prescribed under section 2 minus an administration charge of £40, and
- (b) where the vehicle is exported within 2 years starting from the date it was imported into the island, 50% of the fee prescribed under section 2.

Fees prescribed under other enactments.

4. The fees set out in third column of Schedule 2 are prescribed under the relevant enactment set out in the corresponding row in the first column of Schedule 2, for the purpose set out in the corresponding row of the second column of Schedule 2.

Fees in respect of and in connection with marriages.

5. (1) The Marriage (Fees) (Alderney) Ordinance, 1978^f is amended as follows.

(2) In section 2 (fees to officiating ministers for certified copies) for the words "the sum of fifty new pence" substitute "the sum of £4.45".

^f Alderney Ordinance No. II of 1978.

(3) The First Schedule (fee payable to the Registrar) is substituted for the First Schedule set out in Schedule 3 to this Ordinance.

Interpretation.

6. In this Ordinance, unless the context requires otherwise -

"**Clerk of the States**" is construed in accordance with section 52(3) of the Government of Alderney Law, 2004^g,

"**Fees Law**" means the Fees (Alderney) Law, 2011, and

"**States**" means the States of Alderney.

Amendment of the 1923 Law.

7. (1) The Loi ayant rapport aux Mariages célébrés dans l'Île d'Auregny^h, is amended as follows.

(2) In Article 19(2) (honoraires du Registraire lorsqu'il assiste à un mariage dans un edifice licencié), omit the words "et aura droit de recevoir les honoraires autorisés par cette Loi".

(3) In each of Articles 23 (formalités pour licencier un edifice pour la celebration de mariages) and 24 (formalités pour annuler la licence d'un edifice),

^g Order in Council No. III of 2005 to which there are amendments not relevant to this Ordinance. Under section 52(3) the functions of the Chief Executive of the States of Alderney include the functions assigned to the Clerk of the States by law.

^h Ordres en Conseil Vol. VII, p. 121 as amended by Ordres en Conseil Vol. XIII, p. 416, Vol. XV, p. 382, Vol. XX, p. 267, Vol. XXII, p. 560, Vol. XXXI, p. 306, Order in Council No. XIV of 2005 and Alderney Ordinance No. II of 1978.

omit the last sentence.

Consequential repeals.

8. The Fees (Alderney) Ordinance, 1990ⁱ and the Fees (Amendment) (Alderney) Ordinance, 2010^j are repealed.

Citation and commencement.

9. This Ordinance may be cited as the Fees (Alderney) Ordinance, 2018 and shall come into force on the 1st January, 2019.

ⁱ Alderney Ordinance No. V of 1990 as amended by Alderney Ordinances Nos. V of 1994, No. X of 1994, No. XV of 1996, No. I of 1997, No. VII of 1997, No. 1 of 1999, No. II of 1999, No. VIII of 2000, No. VI of 2001, No. I of 2002, No. VII of 2003, No. XXI of 2003, No. IV of 2004, No. VI of 2005, No. XIV of 2006, No. XV of 2007, No. XVI of 2008, No. XII of 2009, No. XV of 2010 and No. III of 2014.

^j Alderney Ordinance No. XV of 2010.

SCHEDULE 1

Sections 1 and 2

FEES PRESCRIBED IN ACCORDANCE WITH THE FEES LAW
PART I

Enactment	Purpose	Fee payable in £
<p>Article IV of the Loi relative au Colportage^k</p>	<p>Fee for category of Licence Colporteur/Hawker's Licence referred to in Article IV -</p>	
	<p>(a) 1ère Classe/1st Class</p>	
	<p>(i) 6 months,</p>	60
	<p>(ii) 12 months.</p>	110
	<p>(b) 2me Classe/2nd Class</p>	
	<p>(i) 6 months,</p>	265
	<p>(ii) 12 months.</p>	480
	<p>(c) 3me Classe/3rd Class</p>	
	<p>(i) 6 months,</p>	1685
<p>(ii) 12 months.</p>	3135	

^k Ordres en Conseil Vol. VIII, p. 444 as amended by Ordres en Conseil Vol. XIX, p. 193, Vol. XXXI, p. 396 and to which there are other amendments not relevant to this Ordinance.

<p>Article 1(7) of the Import and Export Control (Alderney) Law, 1946</p>	<p>Import Licence fee payable to the Chief Executive of the States for licence granted under regulation 3(1) of the Import (Control) (Alderney) Order, 2010 in respect of import for commercial purposes of -</p> <p>(a) fauna or flora, or any specimen, of a species listed in Annex A, B or C of Council Regulation No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein¹-</p> <p>(i) for a plant or a coral of one or more genera,</p> <p>(ii) for a mammal, bird or reptile or any other fauna or one or more species.</p>	<p>£25 per genus</p> <p>£25 per species</p>
<p>Section 6 of the Licensing of Passenger Boats (Alderney) Ordinance, 1954^m</p>	<p>Fee payable to the States upon grant of a boat licence or a boatman's licence –</p> <p>(a) boat licence –</p> <p>(i) propelled mechanically,</p> <p>(ii) propelled by sail only,</p>	<p>82</p> <p>14</p>

¹ OJ L 61, 3.3.1997, p. 1 as amended.

^m Alderney Ordinance No. V of 1954 as amended by Ordres en Conseil Vol. XXII, p. 560, Vol. XXXI, p. 560, Order in Council No. XX of 2012, Alderney Ordinance No. IV of 1973, No. II of 1990, No. V of 1990, No. IV of 1993 and No. II of 1997.

	<p>(iii) propelled by oars or paddles only,</p> <p>(b) boatman's Licence –</p> <p>(i) in relation to a water taxi used only within Braye Harbour on first grant or renewal,</p> <p>(ii) in relation to a boat used within the territorial waters adjacent to Alderney, on first grant,</p> <p>(iii) in relation to a boat used within the territorial waters adjacent to Alderney, on a renewal of a licence</p>	<p>8</p> <p>82</p> <p>160</p> <p>82</p>
<p>Section 8 of the Dangerous Weapons (Alderney) Ordinance, 1965ⁿ</p>	<p>Fee payable to the States on the grant or renewal of a weapons certificates, for –</p> <p>(a) a first weapon,</p> <p>(b) any additional weapon.</p>	<p>45</p> <p>15</p>
<p>Section 15 of the</p>	<p>Fee payable to the Treasurer of the States</p>	

ⁿ Alderney Ordinance No. II of 1965 as amended by Order in Council No. XX of 2012, Alderney Ordinance No. 1 of 1985, No. V of 1992, No. XII of 1993 and No. XI of 2009.

<p>Alderney Road Traffic and Public Highways Ordinance, 1966^o</p>	<p>prior to grant of licence under Part III (public vehicles) –</p> <p>(a) public vehicle licence for taxi or minibus,</p> <p>(b) road service licence for coach or omnibus,</p> <p>(c) to drive public vehicle.</p>	<p>70</p> <p>30</p> <p>15.50</p>
<p>Section 2(4) of the Hired Motor Vehicles (Alderney) Ordinance, 1972^P</p>	<p>Fee payable to the States in respect of an application for registration of a motor vehicle under section 2(2) and any related inspection under section 2(3) (including as applied on a renewal of registration under section 4)-</p> <p>(a) for an application for registration under section 2(2) and the first inspection in relation to an application under section 2(2) and (3) –</p> <p>(i) motor cars,</p> <p>(ii) motor cycles,</p>	<p>50</p> <p>25</p>

^o Alderney Ordinance No. III of 1966 as amended by Ordres en Conseil Vol. XXXI, p. 306 and Order in Council No. XX of 2012, Alderney Ordinance No. V of 1981, No. VI of 1986, No. 1 of 1988, No. III of 1992, No. VI of 1992, No. VIII of 1995, No. II of 1997 and No. II of 2006.

^P Alderney Ordinance No. II of 1972 as amended by Order in Council No. XX of 2012, Ordres en Conseil Vol. XXXI, p. 306, Alderney Ordinance No. IV of 1972, No. II of 1997 and No. V of 2011.

	(b) for each further inspection under section 2(3) in relation to an application.	50% of the relevant fee specified under item (a)
Section 2 of the Employment Permits (Alderney) Law, 1975⁹	Sums to accompany application for employment permit under section 2 – (a) on an application under section 2 but excluding an application falling within item (b) or (c), (b) on an application for renewal of a permit, but excluding an application falling within item (c), (c) on an application for a permit for an indefinite period.	 40 20 80

⁹ Ordres en Conseil Vol. XXV, p. 31 as amended by Ordres en Conseil Vol. XXVII, p. 339, Vol. XXXI, p. 306, Order in Council No. XX of 2012 and Alderney Ordinance No. II of 1997.

PART II

Article 1(7) of the Import and Export Control (Alderney) Law, 1946^r	Import Licence fee payable to the Clerk of the States for licence granted under article 3of the Import (Control) (Alderney) Order, 2010^s in respect of import of-	Unladen Weight in kilogrammes of vehicle	Fee in £ for each Petrol powered	Fee in £ for each Diesel powered	Fee in £ for each Electric powered
	(a) a motor scooter, motor cycle, moped or motor powered tricycle or quadricycle (quad bike),	any	40	40	40
	(b) a motor vehicle or combination of motor vehicles a driving licence in respect of which falls within Category B or B+E.	up to and including 999.99	130	137	117
		from 1000 up to and including 1249.99	160	168	144
		from 1250 up and including 1499.99	250	263	225
		from 1500 up to and including 1749.99	410	431	369
		from 1750 up to and including 1999.99	620	651	558
		2000 and above	850	893	765

	(c) a vehicle or combination of vehicles a driving licence in respect of which falls within category C, C+E, C1, C1 +E, D, D+E, D1, F , G or L.	up to and including 2999.99	500	525	450
		from 3000 up to and including 4999.99	550	578	495
		from 5000 up to and including 6999.99	650	683	585
		from 7000 up to and including 8999.99	750	788	675
		9000 and above	850	893	765

^r Ordres en Conseil Vol XII, p. 367 as amended by Ordres en Conseil Vol. XXXI, pps. 306 and 396 and Order in Council No. XIV of 2007.

^s A. S. I. No. 3 of 2010 as amended by Ordinance No. IX of 2016, A. S. I. No. 4 of 2010, No. I of 2012, No. 3 of 2012, No. 6 of 2012, No. 6 of 2013, No. 5 of 2014, No. 7 of 2014, No. 2 of 2015, No. 4 of 2015 and No. 5 of 2015.

PART III
INTERPRETATION

Interpretation of Part I of Schedule 1.

1. (1) In Part I of this Schedule, unless the context requires otherwise, "renewal" means an application made to renew a licence, permit, certificate, registration, permit or other consent ("**relevant consent**") referred to in that Part immediately upon the expiry of the previous relevant consent.

(2) In Part I of this Schedule –

(a) terms and expressions used in the second column of the Table, which are not otherwise defined in this Ordinance, have the same meaning as in the enactments cited in the corresponding row of the first column of that Table, and

(b) references to articles, sections or Parts in the second column of the Table are to articles, sections or Parts, as the case may be, of the enactment cited in the corresponding row of the first column of the Table.

Note to Part II of the Schedule.

2. In Part II of this Schedule a reference to a category of driving licence is to be construed as a reference to the relevant category of the same description set out in Schedule 4 to the Driving Licences (Guernsey) Ordinance. 1995^t.

Interpretation of Part II of Schedule 1.

^t Recueil d'Ordonnances Tome XXVI, p. 374; Schedule 4 is amended by Recueil d'Ordonnances Tome XXVIII, p. 55, G.S.I. No. 22 of 2006 and No. 26 of 2016. There are other amendments not relevant to this Ordinance.

3. In Part II of this Schedule –

"**Committee**" means the States of Alderney Policy and Finance Committee,

"**registration book**" shall be construed in accordance with section 7(1) of the Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile^u as applied to Alderney, and

"**unladen weight**" means –

- (a) the unladen weight described in the particulars appearing in the registration book relating to the vehicle, or
- (b) in a case where there is no registration book, such weight as the Committee may reasonably determine in relation to the vehicle.

^u Recueil d'Ordonnances Tome VI, p. 89; section 7(1) is amended by Ordinance No. XIII of 2007 and there are other amendments not relevant to this Ordinance; the Ordinance is applied with a modification to Alderney by Recueil d'Ordonnances Tome IX, p. 280.

SCHEDULE 2

Section 4

FEES PRESCRIBED UNDER OTHER ENACTMENTS

Enactment	Purpose	Fee payable in £s
Section 2(3) of the Tourist (Alderney) Law, 1956 ^v	Fee payable in advance to the Treasurer of the States in respect of grant of an accommodation permit, per person accommodated	12
Section 2(8) of the Water (Control) (Alderney) Law, 1994 ^w	Fee in respect of an application for the grant, renewal or variation of a licence under section 1 in relation to control of wells	150
Section 1(2)(b) of the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987	<p>Fee to accompany application for a registration under section 1 in relation to the carrying on of a nursing home or a residential home-</p> <p>(a) application for registration in</p>	The aggregate of –

^v Ordres en Conseil Vol. XVII, p. 29 as amended by Ordres en Conseil Vol. XXII, p.6, Vol. XXVI, p. 251, Vol. XXX, p. 371, Vol. XXXI, p. 306 and Ordinance No. II of 1997.

^w Ordres en Conseil Vol. XXXV(1), p. 247 as amended by Order in Council No. XII of 2003 and Alderney Ordinance No. II of 1997.

	<p>relation to a nursing home,</p> <p>(b) application for registration in relation to a residential home.</p>	<p>(a) £360, and</p> <p>(b) £28 multiplied by the maximum number of patients proposed to be accommodated in the home at any one time in the nursing home as specified in the application.</p> <p>The aggregate of –</p> <p>(a) £360, and</p> <p>(b) £28 multiplied by the maximum number of residents proposed to be accommodated in the residential home at any one time as specified in the application.</p>
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Interpretation of this Schedule.

1. In this Schedule, unless the context requires otherwise –
 - (a) the terms and expressions used in the second and third columns of the Table, which are not otherwise defined in this Ordinance, have the same meaning as in the enactments cited in the corresponding row of the first

column of the Table, and

- (b) references to sections in the second column of the Table are to sections of the enactment cited in the corresponding row of the first column of the Table.

SCHEDULE 3
FEES PAYABLE IN CONNECTION WITH MARRIAGES

Section 3

"FIRST SCHEDULE

Section 1

FEES PAYABLE TO THE REGISTRAR FEES PAYABLE TO THE REGISTRAR IN RESPECT OF AND IN CONNECTION WITH MARRIAGES	Fee Payable in £
<p>1. When Marriage takes place in Registrar's Office, by Certificate, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Certificate for Marriage,</p> <p>(c) solemnisation of Marriage,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>18.50</p> <p>58.00</p> <p>43.00</p>
<p>2. When Marriage takes place in licensed building by Certificate, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Certificate for Marriage,</p> <p>(c) attendance of Registrar,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>18.50</p> <p>58.00</p> <p>43.00</p>

<p>3. When Marriage takes place in Registrar's Office, by Licence, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Licence for Marriage,</p> <p>(c) solemnisation of Marriage,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>31.00</p> <p>58.00</p> <p>43.00</p>
<p>4. When Marriage takes place in licensed building, by Licence, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Licence for Marriage,</p> <p>(c) attendance of Registrar,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>31.00</p> <p>58.00</p> <p>43.00</p>

<p>5. When Marriage takes place in Registrar's Office, by Special Licence , fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Special Licence for Marriage,</p> <p>(c) solemnisation of marriage,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>54.00</p> <p>58.00</p> <p>43.00</p>
<p>6. When Marriage takes place in licensed building, by Special Licence, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Special Licence for Marriage,</p> <p>(c) attendance of Registrar,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>54.00</p> <p>58.00</p> <p>43.00</p>
<p>7. When Marriage takes place in private house by Special Licence, fee in respect of –</p> <p>(a) entry of Notice of Marriage,</p> <p>(b) Special Licence for Marriage,</p> <p>(c) attendance of Registrar,</p> <p>(d) additional fee when marriage performed outside Greffe hours of opening.</p>	<p>36.00</p> <p>54.00</p> <p>58.00</p> <p>43.00</p>

8. For notification of Marriage and certificate in accordance with Articles III and IV of Loi Supplémentaire aux Mariages, 1926, fee in respect of –	
(a) entry of Notice of Marriage,	36.00
(b) Certificate of Marriage.	18.50
9. Annual fee in respect of premises licensed under Article 23 of the Loi ayant rapport aux Mariages celebre dans L'Ile d'Auregny for the purpose of holding civil marriage ceremonies]	126 per annum".

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