

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance par rapport à la Clôture de Routes aux Occasions Spéciales *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome IX, p. 31; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 422). See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288); the Road Traffic (Speed Limits and Trials) Ordinance, 1987 (Recueil d'Ordonnances Tome XXIV, p. 20); the Resolution of the States of Guernsey of 24th April, 1991 (Billet XI, proposition 1(4)); 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).

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**Ordonnance par rapport à la Clôture de Routes aux
Occasions Spéciales**

ARRANGEMENT OF SECTIONS

1. Committee for Home Affairs may close public roads on special occasions.
2. Notice to be given daily newspapers.
3. Penalty for infringement.

(Made on 1st May, 1937.)

Ordonnance par rapport à la Clôture de Routes aux Occasions Spéciales

ATTENDU QUE de temps à autre à raison d'occasions spéciales, il devient nécessaire ou expédient afin d'assurer la sécurité du public ou pour éviter une congestion véhiculaire ou pour d'autres raisons, de clore temporairement en ce qui regarde tous véhicules ou certains d'iceux ou en ce qui regarde tous véhicules procédant dans ou venant d'une direction quelconque ou certains d'iceux, certains routes, rues, chemins ou autres lieux publics:

ATTENDU QUE les devoirs et responsabilités de la Police Salariée de cette Île par rapport au Trafic Véhiculaire le rendent désirable que le devoir de clore tels routes, rues, chemins ou autres lieux publics à telles occasions soit attribué au Comité des États pour la Police Salariée de l'Île:

LA COUR, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: –

[Committee for Home Affairs] may close public roads on special occasions.

1. Whenever it shall appear to the States [Committee for Home Affairs] (hereinafter referred to as "**the Committee**") that it is necessary or expedient, by reason of some special occasion to close any public road, street, lane or place temporarily to all or certain vehicular traffic, or to all or certain vehicular traffic proceeding in or coming from any particular direction, after consultation with the Constables of the parish in which such public road, street, lane or place is situate, it shall be lawful for the Committee by resolution to declare that any such public road, street, lane or place shall be so closed during such period, not exceeding forty-eight hours on any one occasion, as the Committee may declare in such resolution.

NOTES

In accordance with their Resolution of 24th April, 1991, concerning Billet d'État No. XI, dated 12th April, 1991, the States directed that the Island Police Committee as established under Article 2 of the Loi ayant rapport à la Police Salariée pour l'Île entière, 1920, the States Committees

(Amendment) Law, 1948 and the Police Committee (Amendment) Law, 1990 should be the States Committee for Home Affairs. The functions, rights and liabilities of the States Committee for Home Affairs and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Home Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 9, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance. The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were subsequently transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

In accordance with the provisions of the Road Traffic (Speed Limits and Trials) Ordinance, 1987, section 4(2), the expression "some special occasion" herein shall be deemed to include a race or trial of speed approved by the Committee and the provisions of this section shall have effect accordingly, with effect from 1st March, 1987.¹

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 70(3), with effect from 1st January, 1950, this formerly Provisional Ordinance of the Royal Court became a Permanent Ordinance of the States.

Notice to be given daily newspapers.

2. Upon the passing of any such resolution as is hereinbefore mentioned, the Committee shall publish not earlier than fifteen days nor later than two days before the day on which it is proposed that such resolution shall take effect, in two daily newspapers circulating in this Island, such particulars of such resolution as will enable drivers of vehicles to act in conformity therewith.

Penalty for infringement.

3. After publication as aforesaid of such particulars of any such resolution, it shall be an offence to fail to comply with that resolution, and any person guilty of an offence under this Ordinance shall be liable upon conviction to a fine not exceeding [level 3 on the uniform scale].

NOTES

In section 3, 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, 1989.²

The Ordinance was made and came into operation on 1st May, 1937.

¹ Previously, deeming provisions in respect of these words ("some special occasion") were made in accordance with the provisions of the Ordonnance supplémentaire ayant rapport au Trafic Véhiculaire, 1938, with effect from 29th October, 1938 (Recueil d'Ordonnances Tome VIII, p. 200, substituting Article VIII in the Ordonnance relative au Trafic Véhiculaire en cette Île (Recueil d'Ordonnances Tome VIII, p. 184)); and the Road Traffic (Speed Limits and General Provisions) Ordinance, 1955, section 8(2), with effect from 5th December, 1955 (Recueil d'Ordonnances Tome XI, p. 169).

² These words and figure were previously substituted by the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986, section 1, Schedule, with effect from 1st April, 1986.