

The Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019

THE STATES, in pursuance of their Resolutions of the 9th July, 2015^a, 27th November, 2015^b and 27th November 2019^c, and in exercise of the powers conferred upon them by sections 1, 2 and 3 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991^d, section 2 of the Health, Safety and Welfare of Employees Law, 1950^e and all other powers enabling them in that behalf, hereby order:-

Titre XVII of Loi relative aux Explosifs.

1. In Titre XVII of the Loi relative aux Explosifs^f -
 - (a) the functions, rights and liabilities of the States Committee for Economic Development are transferred to the States Committee for Employment & Social

^a Billet d'État No. XII of 2015.

^b Billet d'État No. XXI of 2015.

^c Article III of Billet d'État No. XXII of 2019.

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

^e Ordres en Conseil Vol. XIV, p. 312; as amended by Recueil d'Ordonnances Tome XXV, p. 328; Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; and No. IX of 2016.

^f Ordres en Conseil Vol. III, pp. 414; as amended by Ordres en Conseil Vol. III, p. 473; Vol. V, p. 30; Vol. XV, p. 11; Vol. XXII, p. 560; Vol. XXIII, p. 188; Vol. XXIV, p. 250; Vol. XXXI, p. 278; Vol. Vol. XXXIV, p. 586; Recueil d'Ordonnances Tome XXV, p. 328; Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016.

Security, and

- (b) for the phrase "Committee for Economic Development" substitute "Committee for Employment & Social Security".

Amendment of the Health, Safety and Welfare of Employees Law, 1950.

2. In section 4 of the Health, Safety and Welfare of Employees Law, 1950^g –

- (a) for "the States Legislation Select Committee (hereinafter referred to as "**the Committee**)", substitute "the Legislation Review Panel as appointed by the Scrutiny Management Committee (hereinafter referred to as "**the Panel**)", and
- (b) for "Committee" substitute "Panel".

Article 36(2) and (4) of the Ordonnance ayant rapport à la Construction de Maisons etc.

3. In paragraphs (2) and (4) of Article 36 of the Ordonnance ayant rapport à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins^h -

^g Ordres en Conseil Vol. XIV, p. 312; as amended by Recueil d'Ordonnances Tome XXV, p. 328; Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; and No. IX of 2016.

^h Recueil d'Ordonnances Tome VIII, p. 123; as amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXI, p. 469; Recueil d'Ordonnances Tome VIII, p. 140; Tome VIII, p. 148; Tome XI, p. 338; Tome XXVI, p. 57; Ordinance No. XXXIII of 2003; No. XL of 2013; No. IX of 2016; and G.S.I. No. 60 of 2015.

- (a) the functions, rights and liabilities of the States Committee for Home Affairs are transferred to the States' Trading Supervisory Board, and
- (b) for the phrase "the States Committee for Home Affairs" substitute "the States' Trading Supervisory Board".

Amendment of the Colorado Beetle (Bailiwick of Guernsey) Law, 1956.

4. In section 7 of the Colorado Beetle (Bailiwick of Guernsey) Law, 1956ⁱ, in the definition of "**Legislative Assembly**", for "States Legislation Select Committee" substitute "the Legislation Review Panel as appointed by the States Scrutiny Management Committee".

Public Highways Ordinance, 1967.

5. In the Public Highways Ordinance, 1967^j -

- (a) the functions, rights and liabilities of the States Committee for Economic Development are transferred to the States Committee for Employment & Social Security, and
- (b) in section 1, for the phrase "States Committee for

ⁱ Ordres en Conseil Vol. XVII, p. 84; as amended by Ordres en Conseil Vol. XVII, p. 194; Vol. XXXI, p. 406; and No. IX of 2016.

^j Recueil d'Ordonnances Tome XV, p. 241; as amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 162; Tome XXV, p. 328; Tome XXVI, p. 176; Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; and No. IX of 2016.

Economic Development" substitute "States Committee for Employment & Social Security".

Section 1(2) of the Public Health (Vessels) (Guernsey) Order, 1974.

6. In section 1(2) of the Public Health (Vessels) (Guernsey) Order, 1974^k, in the definition of "mooring station" –

- (a) the functions, rights and liabilities relating to the consent of the States Committee for Health & Social Care are transferred to the States' Trading Supervisory Board, and
- (b) for the phrase "States Committee for Health & Social Care" substitute "States' Trading Supervisory Board".

Sections 111A and 111B of the Social Insurance (Guernsey) Law, 1978.

7. (1) In Sections 111A and 111B of the Social Insurance (Guernsey) Law, 1978^l -

^k G.S.I. No. 46 of 1974; as amended by G.S.I. No. 9 of 1975; G.S.I. No. 27 of 2009; Ordinance No. XXXIII of 2003; and No. IX of 2016.

^l Ordres en Conseil Vol. XXVI, p. 292; amended by Ordres en Conseil Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol XXXI, p. 278; Vol. XXXII, p. 59; Vol. XXXIV, p. 510; Vol. XXXV(1), p. 164; Vol. XXXVI, pp. 123 and 343; Vol. XXXVIII, p. 59; Vol. XXXIX, p. 107; Order in Council No. X of 2000; No. IX of 2001; No. XXIII of 2002; No. XXIV of 2003; No. XI of 2004; No. XVIII of 2007; No. V of 2012; No. IV of 2014; No. III of 2016 and No. IV of 2018; Recueil d'Ordonnances Tome XXV, p. 148; Tome XXVI, p. 177; Ordinance No. XXXIII of 2003; No. XLIV of 2007; Nos. VII and XLII of 2009; No. XVII of 2011; No. XXXVIII of 2012; No. XXX of 2013; Nos. IX and XXX of 2016; Nos. XIII, XXIII and XXXIV of 2017; Nos. XXVII and XXXVI of 2018; and Alderney Ordinance No. VIII of 2018.

- (a) the functions, rights and liabilities of the States Committee for Employment & Social Security are transferred to the States Committee for Home Affairs, and
- (b) for the phrases "States Committee for Employment & Social Security" and "Committee for Employment & Social Security" respectively wherever appearing substitute "States Committee for Home Affairs" and "Committee for Home Affairs".

(2) For the avoidance of doubt, subsection (1) does not affect the transfer of functions made under the Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018^m.

Environmental Pollution (Guernsey) Law, 2004.

8. (1) In sections 40(1) and 43 of the Environmental Pollution (Guernsey) Law, 2004ⁿ -

- (a) the functions, rights and liabilities of the States Committee for the Environment & Infrastructure are transferred to the States' Trading Supervisory Board, and

^m G.S.I. No. 2 of 2018.

ⁿ Order in Council No. XIII of 2004; as amended by Order in Council No. XIII of 2010; Nos. XV and XVI of 2015; Ordinance No. XXXIII of 2003; No. XXXVIII of 2006; No. XLIX of 2006; No. XIII of 2007; No. XVIII of 2010; No. V of 2011; No. IX of 2016 and the Environmental Pollution (Enforcement and Appeals) Ordinance, 2019.

- (b) for the phrase "Committee for the Environment & Infrastructure" wherever appearing, substitute "States' Trading Supervisory Board".

Import (Control) (Guernsey) Order, 2010.

9. (1) In subparagraphs (b)(ii) and (e) of Schedule 2, and paragraphs 6 and 7 of Schedule 7, to the Import (Control) (Guernsey) Order, 2010^o -

- (a) the functions, rights and liabilities of the States Committee for Economic Development are transferred to the States Committee for the Environment & Infrastructure, and
- (b) for the phrase "the States of Guernsey Committee for Economic Development" substitute "the States of Guernsey Committee for the Environment & Infrastructure".

Civil Contingencies (Bailiwick of Guernsey) Law, 2012.

10. In the Civil Contingencies (Bailiwick of Guernsey) Law, 2012^P in Schedule 1 -

^o G.S.I. No. 39 of 2010; as amended by Ordinance Nos. I and IX of 2016; G.S.I. No. 8 of 2012; G.S.I. No. 47 of 2013; G.S.I. Nos. 45 and 70 of 2014; and G.S.I. Nos. 17, 52 and 102 of 2015

^P Order in Council No. XIV of 2012; as amended by Ordinance No. IX of 2006; and Sark Ordinance No. II of 2017.

- (a) for the avoidance of doubt, the functions, rights and liabilities conferred on the Chief Minister and Deputy Chief Minister are respectively transferred to the President and Vice-President of the States Policy & Resources Committee, and
- (b) for the expressions "Chief Minister" and "Deputy Chief Minister" substitute respectively "President of the Policy & Resources Committee" and "Vice-President of the Policy & Resources Committee".

Plant Health Legislation.

11. (1) The functions, rights and liabilities of the States Committee for Economic Development and of its President or Vice-President arising under or by virtue of the enactments set out in subsection (3) are transferred to and vested in the States Committee for the Environment & Infrastructure or (as the case may be) its President or Vice-President.

(2) For any reference in any enactment referred to in subsection (1) to the States Committee for Economic Development or its President or Vice-President, however expressed, there is substituted a reference to the States Committee for the Environment & Infrastructure or (as the case may be) its President or Vice-President.

(3) The enactments are –

- (a) the Loi relative au doryphore (anglicé Colorado Beetle), 1933,

- (b) the Colorado Beetle (Bailiwick of Guernsey) Law, 1956 (insofar as it relates to Guernsey),
- (c) the Plant Health (Enabling Provisions) (Guernsey) Law, 2014,
- (d) Ordonnance relative à la Vente, au Déplacement et a Transport de Plantes Contaminées,
- (e) the Ordonnance relative au Doryphore (anglicé Colorado Beetle), 1933,
- (f) the Narcissus Pests Ordinance, 1938,
- (g) the Potatoes (Wart Disease) Ordinance, 1950,
- (h) the Colorado Beetle (Export of Potatoes) Ordinance, 1952,
- (i) the Road Traffic (Conveyance of Plant Material) Ordinance, 1976,
- (j) the Control of Diseased Plant Material Ordinance, 1976,
- (k) the Plant Pests Ordinance, 1982,
- (l) the Tree Pests Ordinance, 1982,

- (m) the Import and Export (Plant Health) Ordinance, 1982,
- (n) the Import and Export of Trees, Wood and Bark (Health) Ordinance, 1982, and
- (o) the Plant Health (Guernsey) Ordinance, 2019.

References to Legislation Select Committee.

12. Except where the context requires otherwise, for any reference in an enactment to "Legislation Select Committee" or "States Legislation Select Committee" substitute "Legislation Review Panel as appointed by the States Scrutiny Management Committee".

Citation.

13. This Ordinance may be cited as the Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019.