

ORDINANCE
OF THE STATES OF ALDERNEY

ENTITLED

The Fees (Alderney) Ordinance, 2018 *

[CONSOLIDATED TEXT]

NOTE

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* Alderney Ordinance No. XVII of 2018; as amended by the Marriage (Bailiwick of Guernsey) Law, 2020 (No. XVI of 2020).

**ORDINANCE
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The Fees (Alderney) Ordinance, 2018

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. ...
6. Interpretation.
7. ...
8. Consequential repeals.
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SCHEDULE 1 Fees prescribed in accordance with the Fees Law.

SCHEDULE 2 Fees prescribed under other enactments.

SCHEDULE 3...

(Made on the 19th December, 2018.)

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

^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.

of Part II 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 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. ...

NOTE

Section 5 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.

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. ...

NOTE

Section 7 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.

Consequential repeals.

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 The Fees (Alderney) Ordinance, 1990ⁱ and the Fees (Amendment) (Alderney) Ordinance, 2010^j are repealed.

^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.

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.

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.

	<p>of wild fauna and flora by regulating trade therein^l –</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>(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</p>	<p>82</p> <p>14</p> <p>8</p> <p>82</p> <p>160</p> <p>82</p>

^l 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.

	within the territorial waters adjacent to Alderney, on a renewal of a licence.	
Section 8 of the Dangerous Weapons (Alderney) Ordinance, 1965ⁿ	Fee payable to the States on the grant or renewal of a weapons certificates, for – (a) a first weapon, (b) any additional weapon.	45 15
Section 15 of the Alderney Road Traffic and Public Highways Ordinance, 1966^o	Fee payable to the Treasurer of the States prior to grant of licence under Part III (public vehicles) – (a) public vehicle licence for taxi or minibus, (b) road service licence for coach or omnibus, (c) to drive public vehicle.	70 30 15.50
Section 2(4) of the Hired Motor Vehicles (Alderney) Ordinance, 1972^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) –	

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.

^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.

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	<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, 50</p> <p>(ii) motor cycles, 25</p> <p>(b) for each further inspection under section 2(3) in relation to an application. 50% of the relevant fee specified under item (a)</p>	
Section 2 of the Employment Permits (Alderney) Law, 1975^q	Sums to accompany application for employment permit under section 2 –	
	<p>(a) on an application under section 2 but excluding an application falling within item (b) or (c), 40</p> <p>(b) on an application for renewal of a permit, but excluding an application falling within item (c), 20</p> <p>(c) on an application for a permit for an indefinite period. 80</p>	

PART II

Article 1(7) of the Import	Import Licence fee payable to the Clerk of the States	Unladen Weight in kilogrammes of	Fee in £ for each	Fee in £ for each	Fee in £ for each
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^q 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.

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and Export Control (Alderney) Law, 1946^r	for licence granted under article 3 of the Import (Control) (Alderney) Order, 2010^s in respect of import of –	vehicle	Petrol powered	Diesel powered	Electric powered
		any	40	40	40
	(a) a motor scooter, motor cycle, moped or motor powered tricycle or quadricycle (quad bike),				
	(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	up to and including 2999.99	500	525	450

^r Ordres en Conseil Vol XII, p. 367 as amended by Ordres en Conseil Vol. XXXI, pp. 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.

	licence in respect of which falls within category C, C+E, C1, C1 +E, D, D+E, D1, F, G or L.	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

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.

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 Île^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

^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.

^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.

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

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	Fee to accompany application for a registration under section 1 in relation to the carrying on of a nursing home or a residential home – (a) application for registration in relation to a nursing home,	The aggregate of – (a) £360, and (b) £28 multiplied by the maximum number of patients proposed to be accommodated in

^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.

	(b) application for registration in relation to a residential home.	<p>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

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corresponding row of the first column of the Table.

FEES PAYABLE IN CONNECTION WITH MARRIAGES

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NOTE

Schedule 3 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.
