

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

**The Sark General Purposes and Finance Committee
(Transfer of Functions) (Guernsey) Ordinance, 2015 ***

[CONSOLIDATED TEXT]

NOTE

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* Ordinance No. XXXIX of 2015; as amended by the Protection of Investors (Bailiwick of Guernsey) Law, 2020 (No. XVIII of 2020); the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2020 (No. XIX of 2020); the Banking Supervision (Bailiwick of Guernsey) Law, 2020 (No. XX of 2020).

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ARRANGEMENT OF SECTIONS

1. Transfer of functions.
2. Savings and transitional provisions.
3. Amendment of statutory references.
4. Interpretation.
5. Citation.
6. Commencement.

(Made on 29th September, 2015.)

The Sark General Purposes and Finance Committee (Transfer of Functions) (Guernsey) Ordinance, 2015

THE STATES LEGISLATION SELECT COMMITTEE, in exercise of the powers conferred on the States by section 1 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991^a, and all other powers enabling the States in that behalf, and in exercise of the powers conferred on the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948^b, hereby order: –

Transfer of functions.

1. (1) Notwithstanding the provisions of the Sark General Purposes and Finance Committee (Transfer of Functions) (Guernsey) Ordinance, 2009^c and the Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) (Guernsey) Ordinance, 2015^d, any functions, rights and liabilities of the Sark General Purposes and Finance Committee and of its Chairman arising under or by virtue of an enactment specified in subsection (2) are transferred to and vested in, respectively, the Sark Policy and Performance Committee and its Chairman.

(2) The enactments referred to in subsection (1) are –

(a) the Financial Services Commission (Bailiwick of

a Ordres en Conseil Vol. XXXIII, p. 478.

b Ordres en Conseil Vol. XIII, p.288.

c Recueil d'Ordonnances Tome XXXIII, p. 617.

d Ordinance No. XX of 2015.

Guernsey) Law, 1987^e,

- (b) ...
- (c) ...
- (d) ...
- (e) the Human Rights (Bailiwick of Guernsey) Law, 2000ⁱ,
- (f) the Post Office (Bailiwick of Guernsey) Law, 2001^j,
- (g) the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001^k,
- (h) the Telecommunications (Bailiwick of Guernsey) Law, 2001^l,
- (i) the Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002^m,
- (j) the Insurance Business (Bailiwick of Guernsey) Law,

e Ordres en Conseil Vol. XXX, p. 243.
i Ordres en Conseil Vol. XL, p. 396.
j Ordres en Conseil Vol. XLI, p. 515.
k Ordres en Conseil Vol. XLI, p. 295
l Ordres en Conseil Vol. XLI, p. 452.
m Ordres en Conseil Vol. XLII, p. 393.

2002ⁿ,

- (k) the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002^o,
- (l) the Public Trustee (Bailiwick of Guernsey) Law, 2002^p,
- (m) the Legal Aid (Bailiwick of Guernsey) Law, 2003^q,
- (n) the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003^r,
- (o) the Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004^s,
- (p) the Human Rights (Implementation and Amendment) (Bailiwick of Guernsey) Law, 2004^t,
- (q) the Privileges and Immunities (Bailiwick of Guernsey)

n Ordres en Conseil Vol. XLII(2), p. 766.
o Ordres en Conseil Vol. XLII(2), p. 1022.
p Ordres en Conseil Vol. XLIII, p. 49.
q Order in Council No. VI of 2004.
r Ordres en Conseil Vol. XXX, p. 243.
s Order in Council No. XIV of 2004.
t Order in Council No. I of 2005.

Law, 2004^u, and

(r) the Disclosure (Bailiwick of Guernsey) Law, 2007^v.

(s) the Prescribed Businesses (Bailiwick of Guernsey) Law, 2008^w.

NOTES

In section 1,

paragraph (b) of subsection (2) was repealed by the Protection of Investors (Bailiwick of Guernsey) Law, 2020, section 80(q), with effect from 1st November, 2021, subject to the savings and transitional provisions in section 81 of the 2020 Law;

paragraph (c) of subsection (2) was repealed by the Banking Supervision (Bailiwick of Guernsey) Law, 2020, section 67(j), with effect from 1st November, 2021, subject to the savings and transitional provisions in section 68 of the 2020 Law;

paragraph (d) of subsection (2) was repealed by the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2020, section 62(j), with effect from 1st November, 2021, subject to the savings and transitional provisions in section 60 of the 2020 Law.

Savings and transitional provisions.

2. Anything done before the date of the commencement of this Ordinance or in the process of being done on that date by or in relation to the Sark General Purposes and Finance Committee or its Chairman under or by virtue of an enactment specified in section 1(2) shall have effect as if done or (as the case may be) may be continued by or in relation to the Sark Policy and Performance Committee or (as the

^u Order in Council No. XII of 2005.

^v Order in Council No. XVI of 2007.

^w Order in Council No. XII of 2009.

case may be) its Chairman.

Amendment of statutory references.

3. For any reference in an enactment specified in section 1(2) to the Sark General Purposes and Finance Committee or to its Chairman, however expressed, there is substituted a reference to the Sark Policy and Performance Committee or (as the case may be) its Chairman.

Interpretation.

4. (1) Any reference in this Ordinance to an enactment specified in section 1(2) includes a reference to –

- (a) any Ordinance of the States of Deliberation, and
- (b) any subordinate legislation made by any department, council or committee (however called) of the States of Guernsey,

made under the enactment.

(2) The Interpretation (Guernsey) Law, 1948^x applies to the interpretation of this Ordinance.

(3) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, repealed and re-enacted (with or without modification), extended or applied.

NOTE

^x Ordres en Conseil Vol. XIII, p. 355.

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

Citation.

5. This Ordinance may be cited as the Sark General Purposes and Finance Committee (Transfer of Functions) (Guernsey) Ordinance, 2015.

Commencement.

6. This Ordinance shall come into force on 25th June, 2015.