

THE PUBLIC TRANSPORT (AMENDMENT) ORDINANCE, 2017

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Public Transport (Amendment) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance amends the Public Transport Ordinance, 1986 so as to make provision for a fee of £30 to be paid in respect of applications for, or to vary, road service licences. It also amends the Fees, Charges and Penalties (Guernsey) Law, 2007 so as to enable the fee prescribed for this purpose to be amended in future by regulations.

The Public Transport (Amendment) Ordinance, 2017

THE STATES, in pursuance of their Resolution of the 28th June, 2013^a, and in exercise of the powers conferred on them by section 3(1)(h) of the Public Transport (Guernsey) Law, 1984^b, and section 1(2) of the Fees, Charges and Penalties (Guernsey) Law, 2007^c, hereby order:-

Amendment of 1986 Ordinance.

1. The Public Transport Ordinance, 1986^d is amended as follows.
2. Immediately after section 20 of the said Ordinance, insert the following additional section -

"Fees for road service licences.

20A. (1) There shall be paid in advance to the States Treasurer in respect of an application for a road service licence, and in respect of an application to vary a road service licence, a fee of £30.

(2) The fee specified in subsection (1) shall be payable

^a Article VI of Billet d'État No. XII of 2013.

^b Ordres en Conseil Vol. XXVIII, p. 423; amended by Order in Council No. * of 2017.

^c Order in Council No. VII of 2008; amended by No. VIII of 2010; Ordinance No. VII of 2008; No. IV of 2011; No. XLIII of 2013; No. XLIII of 2014; No. IX of 2016.

^d Recueil d'Ordonnances Tome XXIII, p. 351; amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 265; Tome XXV, p. 211; Tome XXVI, pp. 152 and 370; Ordinance Nos. VI and XXI of 2001; No. XXXIII of 2003; Nos. VII and LIII of 2008; No. XLIII of 2013; Nos. IX and XXIV of 2016; G.S.I. No. 10 of 2013; No. 40 of 2017.

whether or not a road service licence, or an application to vary such a licence, is granted."

Amendment of 2007 Law.

3. The Fees, Charges and Penalties (Guernsey) Law, 2007, is amended as follows.

4. In Part B of the Schedule ("Ordinances"), in the second column of the entry relating to the Public Transport Ordinance, 1986, insert the following additional paragraph at the appropriate place -

"Fee payable to States Treasurer for application for grant or variation of road service vehicle licence under section 20A."

Interpretation.

5. (1) In this Ordinance -

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

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

Extent.

6. This Ordinance has effect in the Island of Guernsey.

Citation.

7. This Ordinance may be cited as the Public Transport (Amendment) Ordinance, 2017.

Commencement.

8. This Ordinance shall come into force on the 1st day of January, 2018.



Committee *for the*
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30 October 2017

Dear Deputy St Pier

The Public Transport (Amendment) Ordinance, 2017

In accordance with Rule 4(2) of the Rules of Procedure for the States of Deliberation and their Committees, it is requested that 'The Public Transport (Amendment) Ordinance, 2017' be considered by the States of Deliberation at its meeting on Wednesday 13th December, 2017.

The request is made as the Committee wishes to introduce new fees for road service licences on 1st January, 2018.

Yours sincerely

Deputy Barry Brehaut
President
Committee *for the* Environment & Infrastructure