

THE CUTTING OF HEDGES (AMENDMENT) ORDINANCE, 2017

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Cutting of Hedges (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 places the duties contained in the Cutting of Hedges Ordinance, 1953 on owners of land rather than occupiers of land.

The Cutting of Hedges (Amendment) Ordinance, 2017

THE STATES, in pursuance of their Resolution of the 8th June, 2017^a, hereby order:-

Amendments to the 1953 Ordinance.

1. The Cutting of Hedges Ordinance, 1953^b is amended as follows -
 - (a) in section 1(1), for "Every occupier of land bordering a public road or, if the land is unoccupied, the owner thereof,", substitute "Every owner of land bordering a public road", and
 - (b) in section 1(1A), for "Every occupier of land bordering the corner of a public road or, if the land is unoccupied, the owner thereof,", substitute "Every owner of land bordering the corner of a public road".

Interpretation.

2. (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

^a Article IX of Billet d'État No. XI of 2017.

^b Recueil d'Ordonnances Tome X, p. 373, as amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXV, p. 76 and Ordinance No. XL of 2013. See also Recueil d'Ordonnances Tome VIII, p. 123.

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.

Citation and commencement.

3. (1) This Ordinance may be cited as the Cutting of Hedges (Amendment) Ordinance, 2017.

(2) This Ordinance shall come into force on the 1st January, 2018.