

ORDER IN COUNCIL

XIV
1993

ratifying a Projet de Loi

ENTITLED

The Health and Safety (Fees) (Guernsey) Law, 1993

(Registered on the Records of the Island of Guernsey
on the 1st February, 1994.)



1993

The Health and Safety (Fees) (Guernsey) Law, 1993

THE STATES, in pursuance of their Resolution of the 27th day of January, 1993^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

Power of Board to specify fees.

1. The States Board of Employment, Industry and Commerce may by order-

(a) specify the fees to be payable under and for the purposes of the following provisions of the Explosives (Guernsey) Law, 1905^b -

(i) article VIII ("licences pour provision");

(ii) article XXIX ("honoraires");

(b) specify the fees to be payable under and for the purposes of the following provisions of the Law entitled "Loi relative aux Huiles ou Essences Minérales ou autres substances de la même nature, 1924"^c -

^a Article XVIII of Billet d'État No. I of 1993.

^b Ordres en Conseil Vol.III, pp.414 and 473; Vol.V, p.30; Vol.XV, p.11; Vol.XXIV, p.250; and Ordinance No.XXV of 1991.

^c Ordres en Conseil Vol.VII, p.324; Vol.VIII, p.149; Vol.XIX, p.213; Recueil d'Ordonnances Tome XXIV, p.162; and Ordinance No.XXV of 1991.

- (i) article 2(1) (fees payable in respect of discharge of inflammable oils);
 - (ii) article 2(3) (fees for applications for licences for storage of inflammable oils);
 - (iii) article 2(4) (fees for services rendered by Inspector in connection with construction of places for storage of inflammable oils); and
 - (iv) article 2(8) (fees payable upon grant or renewal of licence for storage of inflammable oils);
- (c) specify fees to be payable to the States in respect of the grant, renewal or variation of licences, or applications therefor, or the provision of services or documents, under or for the purposes of, or in connection with the exercise of any function arising under, any provision of the Health, Safety and Welfare of Employees Law, 1950^d, the Health and Safety at Work etc. (Guernsey) Law, 1979^e, any Ordinance or other subordinate legislation made under either of those Laws or any other enactment or subordinate legislation specified by Ordinance of the States.

Amendments.

^d Ordres en Conseil Vol.XIV, p.312 and Ordinance No.XXV of 1991.

^e Ordres en Conseil Vol.XXVII, p.155.

2. (1) After article XXIX of the Explosives (Guernsey) Law, 1905 insert the following article-

"XXX. Les droits, frais, honoraires et autres sommes stipulées par cette Loi sont sujets aux provisions des ordres de temps en temps en vigueur faits sous l'autorité de la Loi intitulée "The Health and Safety (Fees) (Guernsey) Law, 1993".

(2) After article 2 of the Law entitled "Loi relative aux Huiles ou Essences Minérales ou autres substances de la même nature, 1924", insert the following article-

"2A. Les tarifs, droits, honoraires et autres sommes stipulées par cette Loi sont sujets aux provisions des ordres du Conseil de temps en temps en vigueur faits sous l'autorité de la Loi intitulée "The Health and Safety (Fees) (Guernsey) Law, 1993".

(3) In section 3(2) of the Health and Safety at Work etc. (Guernsey) Law, 1979 after the words "specified in the Ordinance" insert "subject to the payment of such fee as may be specified by order of the Committee under the Health and Safety (Fees) (Guernsey) Law, 1993".

General provisions as to orders.

3. (1) An order of the Board under this Law-

(a) may be amended or repealed by a subsequent order hereunder;

- (b) may contain such consequential, incidental, supplementary and transitional provision as may appear to the Board to be necessary or expedient;
- (c) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul it, cease to have effect, but without prejudice to anything done under it or to the making of a new order.

(2) Any power conferred upon the Board by this Law to make an order may be exercised-

- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases;
- (b) so as to make, as respects the cases in relation to which it is exercised-
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise);
 - (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes;

- (iii) any such provision either unconditionally or subject to any prescribed conditions.

References to other enactments.

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

Citation.

5. This Law may be cited as the Health and Safety (Fees) (Guernsey) Law, 1993.