

*Consolidated text*

# ORDINANCE

## OF THE STATES OF DELIBERATION

ENTITLED

### **The Places of Recreation Ordinance, 1975 \***

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Recueil d'Ordonnances Tome XX, p. 139; as amended by the Places of Recreation (Amendment) Ordinance, 1996 (No. XVII of 1996); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003). See also the Traffic Offences (Fixed Penalties) Ordinance, 1989 (Recueil d'Ordonnances Tome XXV, p. 11).

**ORDINANCE**  
**OF THE STATES OF DELIBERATION**

ENTITLED

**The Places of Recreation Ordinance, 1975**

ARRANGEMENT OF SECTIONS

1. Offences at places of recreation.
- 1A. Power to make orders.
2. Powers of officers of police.
3. Penalty for giving false name or address.
4. Interpretation.
5. Repeals.
6. Citation.

SCHEDULE

- Part I Places of recreation to which the provisions of section 1 (a) apply.  
Part II Places of recreation to which the provisions of section 1 (b) apply.

*(Made on the 30th July, 1975.)*

## **The Places of Recreation Ordinance, 1975**

**THE STATES**, in pursuance of their Resolution of the nineteenth day of December, nineteen hundred and seventy-four, hereby order: –

### **Offences at places of recreation.**

1. If any person –
  - (a) at any place of recreation specified in Part I of the Schedule to this Ordinance –
    - (i) being a person in charge of a vehicle, shall, without the permission in writing of the Authority in control of the place, ride or drive that vehicle in any part thereof [...],
    - (ii) shall, without the permission [in writing] of the Authority in control of the place, light any fire in any part thereof,
    - (iii) shall, in contravention of any order of the Authority in control of the place, enter any part thereof set aside for the playing of any organised game,
    - (iv) shall, without the permission [in writing] of the Authority in control of the place, enter any part thereof which is enclosed, whether

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permanently or temporarily, otherwise than by means of the entrance thereto provided by the Authority in control of the place or shall, without the permission as aforesaid, enter any part thereof when no entrance thereto is so provided,

- (v) shall, without the permission [in writing] of the Authority in control of the place, climb any tree, wall, hedge, bank, fence or gate in any part thereof,
  - (vi) shall, without the permission in writing of the Authority in control of the place, exercise any trade or business in any part thereof,
  - (vii) shall do any act of wanton mischief in any part thereof,
- (b) at any place of recreation specified in Part II of the said Schedule, being a person in charge of an animal, shall, without the permission in writing of the Authority in control of the place, ride any animal or cause or permit that animal to proceed in any part thereof,

he shall be guilty of an offence and liable, on conviction, [to a fine not exceeding level 3 on the uniform scale].

**NOTES**

*In section 1,*

*the words omitted in square brackets in sub-paragraph (i) of paragraph (a) of section 1 were repealed by the Places of Recreation (Amendment) Ordinance, 1996, section 1(a), with effect from 31st July, 1996;*

*the words in square brackets in sub-paragraphs (ii), (iv) and (v) of paragraph (a) of section 1 were inserted by the Places of Recreation (Amendment) Ordinance, 1996, section 1(b), with effect from 31st July, 1996;*

*the words and figure in square brackets after paragraph (b) of section 1 were substituted by the Places of Recreation (Amendment) Ordinance, 1996, section 1(c), with effect from 31st July, 1996.*

*In accordance with the provisions of the Traffic Offences (Fixed Penalties) Ordinance, 1989, section 1, section 2 and Schedule 1, any liability to conviction of offences against section 1(a)(i) of this Ordinance may be discharged by payment of a fixed penalty.*

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**[Power to make orders.]**

**1A.** (1) The [Environment Department] may by order amend the provisions of the Schedule to this Ordinance.

(2) An order of the Board under this section –

- (a) may be amended or repealed by a subsequent order hereunder,
- (b) may contain such consequential, incidental, supplemental 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,

- (d) shall not come into force until published in La Gazette Officielle.]

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**NOTES**

*Section 1A was inserted by the Places of Recreation (Amendment) Ordinance, 1996, section 1(d), with effect from 31st July, 1996.*

*In section 1A, the words in square brackets were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(c), Schedule 2, paragraph 2(c), with effect from 6th May, 2004.*

*The functions, rights and liabilities of the Board of Administration and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Environment Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(c), Schedule 2, paragraph 2(c), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.*

*The following Order has been made under section 1A:*

*Places of Recreation Order, 1995.*

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**Powers of officers of police.**

2. An officer of police may detain any person who has committed or whom he has reasonable cause to suspect of having committed an offence under any of the provisions of the last preceding section.

**Penalty for giving false name or address.**

3. If any person who has committed or who is reasonably suspected by

an officer of police of having committed an offence under any of the provisions of section one of this Ordinance, when required by an officer of police to give his name and address, gives a false name or address, he shall be guilty of an offence and liable, on conviction, [to a fine not exceeding level 3 on the uniform scale].

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**NOTE**

*In section 3, the words and figure in square brackets were substituted by the Places of Recreation (Amendment) Ordinance, 1996, section 1(c), with effect from 31st July, 1996.*

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**Interpretation.**

4. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"**animal**" means a horse, pony, mule or ass;

"**the Authority in control of the place**" means –

- (a) in relation to a place of recreation owned or administered by a Parish, the Constables of that Parish,
- (b) in relation to a place of recreation owned or administered by the States, the Committee of the States administering that place,

"**child**" means a person under the age of ten years,

"**cycle**" means a bicycle, tricycle or cycle having four or more wheels (not being in any case a cycle intended or adapted for use by a child and which is ridden or driven by a child),

"**motor cycle**" includes any auto-cycle and any cycle which is being used as or is adapted for use as a mechanically propelled vehicle,

"**officer of police**" means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey,

"**vehicle**" means a vehicle which is being used or is adapted for use as a mechanically propelled vehicle and includes a trailer drawn thereby, an animal drawn vehicle, a motor cycle and a cycle.

**Repeals.**

5. The Ordinance entitled "Ordonnance relative à la Police des lieux de Récréation" of the fourth day of March, nineteen hundred and thirty-nine<sup>a</sup>, the Places of Recreation (Amendment) Ordinance, 1956<sup>b</sup>, the Places of Recreation (Amendment) Ordinance, 1961<sup>c</sup>, the Places of Recreation (Amendment) Ordinance, 1962<sup>d</sup>, the Places of Recreation (Amendment) Ordinance, 1965<sup>e</sup> and the Places and Recreation (Amendment) Ordinance, 1966<sup>f</sup> are hereby repealed.

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<sup>a</sup> Recueil d'Ordonnances Tome IX, p. 33.

<sup>b</sup> Recueil d'Ordonnances Tome XI, p. 200.

<sup>c</sup> Recueil d'Ordonnances Tome XIII, p. 40.

<sup>d</sup> Recueil d'Ordonnances Tome XIII, p. 216.

<sup>e</sup> Recueil d'Ordonnances Tome XIV, p. 107.

<sup>f</sup> Recueil d'Ordonnances Tome XIV, p. 329.

**Citation.**

6. This Ordinance may be cited as the Places of Recreation Ordinance, 1975.

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**NOTE**

*The Ordinance was made and came into operation on 30th July, 1975.*

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PART I

*Places of recreation to which the provisions of section 1(a) apply*

*A. Places owned or administered by the Parish of Saint Peter Port*

Cambridge Park.

The Old Cemetery, Cornet Street.

The grass verges bordering Les Camps Collette Nicolle, commonly known as Green Lanes.

*B. Places owned or administered by the Parish of the Forest*

The cliff path running from Petit Bôt Road to Le Chemin des Côtils de Forval.

The cliff path running from Le Gouffre to Le Glie.

*C. Places owned or administered by the Parish of Saint Martin*

La Rue Tonnelle.

*D. Places owned or administered by the States of Guernsey*

*(i) Places administered by the [States Environment Department]:*

Candie Gardens, St. Peter Port, excluding the museum and art gallery.

St. Paul's Garden, St. Peter Port.

St. Julian's Avenue Garden, St. Peter Port.

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Monument Gardens, St. Peter Port.

Land at La Valletta, St. Peter Port, that is to say:

- (a) the Promenade from Clarence Battery to the foot of Havelet,
- (b) the Upper Pathway from Clarence Battery to Le Val des Terres and land adjoining.

Belvedere Field, Fort George and land adjoining Le Val des Terres and Fort Road, St. Peter Port.

The public path known as Montville Drive passing through the Montville Estate from Colbourne Road to Les Vardes, St. Peter Port.

The cliff paths between Clarence Battery, St. Peter Port, and Portelet, Torteval, and land belonging to the States between Clarence Battery and Portelet to which the public has access.

Land owned by La Société Guernesiaise known as "Torteval Woods", Torteval.

Land owned by La Société Guernesiaise known as "La Claire Mare", St. Peter-in-the-Wood.

Land owned by La Société Guernesiaise known as "Orchid Fields", Rue Rocheuse, St. Peter-in-the-Wood.

Land owned by La Société Guernesiaise known as "Orchid Fields", Rue des Vicheries, St. Peter-in-the-Wood.

Silbe Nature Reserve, St. Peter-in-the-Wood.

Lihou Island, Lihoumel and the causeway adjoining Lihou Island to Guernsey, and all land owned by the States at L'Erée headland, the whole situate at St. Peter-in-the-Wood.

L'Erée Shingle Bank, St. Peter-in-the-Wood.

Land at Les Sablons, L'Erée, St. Peter-in-the-Wood, between the coast road and the sea wall.

Land south of Rue de Bray, and the headland known as Le Tusel (or Le Déhusel) at L'Erée, St. Peter-in-the-Wood.

The coastal paths and land belonging to the States to which the public has

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access (including all land thereon or adjacent thereto constituting car parking land) along the western coast of Guernsey lying between Rue de la Rocque, L'Erée at the south and Chouet at the north.

Land on both sides of the coast road at Le Catiaroc headland, St. Saviour.

Land between the coast road and the sea wall, south of Martello Tower No. 12 at Vazon, Castel.

Land owned by La Société Guernesiaise situated at Rue des Bergers, Castel.

Land at Talbot Valley on the north side of La Route des Talbots between the Ron Short Walk and La Rue du Torval, Castel.

Land known as "Fairfield", on the north side of Route de l'Église, Castel.

St. Germain Nature Trail, Castel, including surrounding land.

Land at Fort Hommet headland, Castel, extending from the coast road up to and including Fort Hommet.

Le Guet Watch-house, Castel, and adjoining land and quarries.

Land on both sides of the coast road known as La Neuve Route at Albecq, Castel, including Burton Battery.

Land at L'Estrainfer, Cobo, Castel, between the coast road and the sea wall. Saumarez Park, Castel.

Land at Saumarez Nature Trail, Castel which the States own and to which the public has access, including "The Glen", the public path from Saumarez Park running alongside La Ruelle de la Tour to "The Glen" and surrounding areas.

The public path from La Route de Carteret to Long Port, Castel.

Land on both sides of La Rue de la Saline, from and including the land adjacent to the Mare de Carteret pumping station up to and including Grandes Rocques headland, Castel.

Land on both sides of Port Soif Road, in the Parishes of the Castel and the Vale, including the Port Soif Nature Trail.

Land to the north of Port Soif, adjoining Portinfer and La Baie des Pêqueries, and including the Port Soif Nature Conservation Area and

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- Les Pêqueries headland, in the Parishes of the Vale and St. Sampson.
- Land adjoining La Baie de Pulias and La Baie de Port Grat, St. Sampson.
- La Garenne d'Anneville, St. Sampson.
- Land surrounding Martello Tower No 11 at Rousse, Vale.
- Land adjoining Grand Havre, from Rousse in the Parish of the Vale up to and including Picquerel Common, situated in the Parishes of the Vale and St. Sampson, together with a strip of land on the landward side of La Route de Picquerel, Vale.
- Land known as L'Islet Common, St. Sampson, on both sides of L'Islet Road and extending northwards to Les Arnarreurs, Vale.
- Vale Pond, Vale.
- Land at Le Chouet, Vale.
- Crève Coeur headland, west of La Baie de la Jaonneuse, Vale.
- Land known as "Le Catelain", south of Martello Tower No. 4 at L'Ancrese Common, Vale.
- Land extending along the coast north of Beaucette Battery, and along the coast between Beaucette and Hougue de Noirmont Quarry, Vale.
- Land known as "Le Grand Pre" west of La Rue de la Blanche Carriere, Vale, separated from the road by housing.
- Land at Petils Bay, Vale, on the seaward side of La Rue Godfrey.
- Land extending along the coast between Hougue de Noirmont Quarry and Bordeaux Harbour, Vale, and land on the seaward side of Bordeaux Road.
- All land owned by the States of Guernsey around Bordeaux Harbour, Vale, including Bordeaux Nature Conservation Area and Bordeaux landfill site.
- Land at La Banque Imbert on the seaward side of the coast road, between Bordeaux Harbour and St. Sampson's Harbour, Vale.
- All land owned by the States of Guernsey on both the landward and seaward sides of Bulwer Avenue, from Longue Hougue Road to Richmond

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Corner, St. Sampson.

All land owned by the States of Guernsey on the seaward side of Les Banques from Richmond Corner, St. Sampson to Hougue à la Perre Battery, St. Peter Port.

The Victoria Avenue Recreation Ground, St. Sampson.

Land appurtenant to the Chateau des Marais, St. Sampson, including the two fields to the immediate south.

The Osmond Priaulx Memorial Field, Footes Lane, St. Peter Port.

*(ii) Places administered by the [States Environment Department]:*

The museum and art gallery at Candle Gardens, St. Peter Port.

Fort Le Marchant and surrounding land, Vale.

Land at Vale Castle, comprising the building, batteries, bunkers, walls and open land contained within the wall, hedges and fences that form the boundary of the castle; and including the car park adjacent thereto on the seaward side of the coastal road.

Fort Richmond and surrounding land, St. Sampson.

Land at La Vallette, St. Peter Port, that is to say:

- (a) the buildings, batteries, walls and open land that form the Clarence Battery, St. Peter Port,
- (b) the Public and Private Bathing Places and the appurtenances thereof.

*(iii) Places administered by the [States Housing Department]:*

Grand Bouet Playground, La Rue des Pins, Grand Bouet, St. Peter Port.

Courtil St. Jacques Playground, St. Peter Port.

Rougeval Tunnel and surrounding land, St. Peter Port.

Rue Jehannet Playground, La Rue Jehannet, St. Martin.

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Les Genats play area, Castel.

(iv) *Places administered by the [States Culture and Leisure Department]:*

Delancey Park, St. Sampson.

Beau Sejour, St. Peter Port.

PART II

*Places of recreation to which the provisions of section 1(b) apply*

A. *Places owned or administered by the Parish of Saint Peter Port*

Cambridge Park.

The Old Cemetery, Cornet Street.

The grass verges bordering Les Camps Collette Nicolle, commonly known as Green Lanes.

B. *Places owned or administered by the Parish of the Forest*

The cliff path running from Petit Bôt Road to Le Chemin des Côtils de Forval.

The cliff path running from Le Gouffre to Le Glie.

C. *Places owned or administered by the Parish of Saint Martin*

La Rue Tonnelle.

D. *Places owned or administered by the States of Guernsey*

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(i) *Places administered by the [States Environment Department]:*

Candie Gardens, St. Peter Port, excluding the museum and art gallery.

St. Paul's Garden, St. Peter Port.

St. Julian's Avenue Garden, St. Peter Port.

Monument Gardens, St. Peter Port.

Land at La Valletta, St. Peter Port, that is to say:

- (a) the Promenade from Clarence Battery to the foot of Havelet,
- (b) the Upper Pathway from Clarence Battery to Le Val des Terres and land adjoining.

The cliff paths between Clarence Battery, St. Peter Port, and Portelet, Torteval.

Lihou Island, Lihoumel and the causeway adjoining Lihou Island to Guernsey, and all land owned by the States at L'Erée headland, the whole situate at St. Peter-in-the-Wood.

L'Erée Shingle Bank, St. Peter-in-the-Wood.

The coastal paths and land belonging to the States to which the public has access (including all land thereon or adjacent thereto constituting car parking land) along the western coast of Guernsey lying between Rue de la Rocque, L'Erée at the south and Chouet at the north.

Land owned by La Société Guernesiaise known as "Torteval Woods", Torteval.

Land owned by La Société Guernesiaise known as "La Claire Mare", St. Peter-in-the-Wood.

Land owned by La Société Guernesiaise known as "Orchid Fields", Rue Rocheuse, St. Peter-in-the-Wood.

Land owned by La Société Guernesiaise known as "Orchid Fields", Rue des Vicheries, St. Peter-in-the-Wood.

Silbe Nature Reserve, St. Peter-in-the-Wood.

Land at Talbot Valley on the north side of La Route des Talbots between the

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Ron Short Walk and La Rue du Torval, Castel.

Land owned by La Société Guernesiaise situated at Rue des Bergers, Castel.  
St. Germain Nature Trail, Castel, including surrounding land.

Saumarez Park, Castel.

La Garenne d'Anneville, St. Sampson.

Vale Pond, Vale.

Le Chouet headland, Vale, excluding the coastal path.

Land known as "Le Catelain", south of Martello Tower No. 4 at L'Ancrese  
Common, Vale.

Land known as "Le Grand Pre" west of La Rue de la Blanche Carriere,  
Vale, separated from the road by housing.

Land at Petils Bay, Vale, on the seaward side of La Rue Godfrey.

All land owned by the States of Guernsey around Bordeaux Harbour, Vale,  
including Bordeaux Nature Conservation Area and Bordeaux landfill  
site.

All land owned by the States of Guernsey at Bulwer Avenue, St. Sampson,  
on the seaward side of the coast road between Richmond Corner and  
Longue Hougue Lane.

All land owned by the States of Guernsey at Les Banques, St. Sampson, on  
the seaward side of the coast road between Belgrave and La  
Tonnelle.

The Victoria Avenue Recreation Ground, St. Sampson.

Land appurtenant to the Chateau des Marais, St. Sampson, including the two  
fields to the immediate south.

The Osmond Priaulx Memorial Field, Footes Lane, St. Peter Port.

*(ii) Places administered by the [States Environment Department]:*

The museum and art gallery at Candie Gardens, St. Peter Port.

Fort Le Marchant and surrounding land, Vale.

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Land at Vale Castle, comprising the building, batteries, bunkers, walls and open land contained within the wall, hedges and fences that form the boundary of the castle; and including the car park adjacent thereto on the seaward side of the coastal road.

Fort Richmond and surrounding land, St. Sampson.

Land at La Vallette, St. Peter Port, that is to say:

- (a) the buildings, batteries, walls and open land that form the Clarence Battery, St. Peter Port,
- (b) the Public and Private Bathing Places and the appurtenances thereof.

*(iii) Places administered by the [States Housing Department]:*

Grand Bouet Playground, La Rue des Pins, Grand Bouet, St. Peter Port.

Courtil St. Jacques Playground, St. Peter Port.

Rougeval Tunnel and surrounding land, St. Peter Port.

Rue Jehannet Playground, La Rue Jehannet, St. Martin.

Les Genats play area, Castel.

*(iv) Places administered by the [States Culture and Leisure Department]:*

Delancey Park, St. Sampson.

Beau Sejour, St. Peter Port.]

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**NOTES**

*The Schedule was substituted by the Places of Recreation Order, 1995, article 1, Schedule, with effect from 2nd October, 1997.*

*In the Schedule,*

*the words in the first pairs of square brackets in Part I and Part II*

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*thereof were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(c), Schedule 2, paragraph 2(c), with effect from 6th May, 2004;*

*the words in the second pairs of square brackets in Part I and Part II thereof were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 16(a), Schedule 2, paragraph 6(a), with effect from 6th May, 2004;*

*the words in the third pairs of square brackets in Part I and Part II thereof were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 17, with effect from 6th May, 2004;*

*the words in the fourth pairs of square brackets in Part I and Part II thereof were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 24, with effect from 6th May, 2004.*

*The functions, rights and liabilities of the Board of Administration and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Environment Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(c), Schedule 2, paragraph 2(c), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.*

*The functions, rights and liabilities of the Heritage Committee and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Environment Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 16(a), Schedule 2, paragraph 6(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.*

*The functions, rights and liabilities of the Housing Authority and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Housing Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 17, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.*

*The functions, rights and liabilities of the Recreation Committee and of its President arising under or by virtue of this Law were transferred to and vested in, respectively, the Culture and Leisure Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 24, with effect from 6th*

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*May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.*

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