

The Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016

THE STATES, in pursuance of their Resolutions of the 9th July, 2015^a and the 27th November, 2015^b, and in exercise of the powers conferred on them by sections 29 and 72 of the Environmental Pollution (Guernsey) Law, 2004^c and of all other powers enabling them in that behalf, hereby order:-

Designation of Waste Disposal Authority.

1. The States of Guernsey States' Trading Supervisory Board is designated as the Waste Disposal Authority under and for the purposes of the Environmental Pollution (Guernsey) Law, 2004 ("**the 2004 Law**").

Consequential amendment.

2. Section 2 (designation of Waste Disposal Authority) of the Environmental Pollution (Guernsey) Law, 2004 (Commencement and Designation of Waste Disposal Authority) Ordinance, 2006^d is repealed.

Savings and transitional provision.

3. Anything done before the 1st May, 2016, or in the process of being done on that date, by or in relation to the States of Guernsey Public Services

^a Billet d'État No. XII of 2015.

^b Billet d'État No. XXI of 2015.

^c Order in Council No. XIII of 2004 as amended by Ordres en Conseil Vol. XLIV (1), p. 274 as amended by Order in Council No. XIII of 2010 and the Environmental Pollution (Guernsey) (Amendment) Law, 2015 (approved by the States on the 30th September, 2015), Recueil d'Ordonnances Tome XXIX, p. 406, Tome XXXI, p. 618, Tome XXXI, p. 660, Tome XXXII, p. 113, Ordinance No. XVIII of 2010, No. V of 2011 and the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016. See also Ordres en Conseil Vol. XXII, p. 122 and Recueil d'Ordonnances Tome XXXI, p. 540.

^d Ordinance No. XXVII of 2006.

Department in its capacity as Waste Disposal Authority^e, under or by virtue of the 2004 Law or any other enactment shall have effect as if done or (as the case may be) may be continued by or in relation to the States of Guernsey States' Trading Supervisory Board in its capacity as Waste Disposal Authority as designated under this Ordinance.

Interpretation.

4. (1) In this Ordinance -

"**enactment**" means any Law, Ordinance or 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, and

"**the 2004 Law**" : see section 1.

(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.

5. This Ordinance may be cited as the Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016.

^e The States of Guernsey Public Services Department was designated as the Waste Disposal Authority under section 2 of the Environmental Pollution (Guernsey) Law, 2004 (Commencement and Designation of Waste Disposal Authority) Ordinance, 2006 which came into force on the 26th July, 2006.

Commencement.

6. This Ordinance shall come into force on the 1st May, 2016.