

DRAFT MOTOR TRAFFIC (No. 8) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 19th March 2002
by the Public Services Committee**



STATES OF JERSEY

STATES GREFFE

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REPORT

On 31st July 2001, the States adopted the Bus Strategy (P.104/2001) proposed by the Public Services Committee, as amended by the Industries Committee, and among other things -

- (c) *charged the Public Services Committee to prepare and present to the States for approval amendments to the Motor Traffic (Jersey) Law 1935, as amended, and any other legislation as appropriate, to give effect to the strategy and, in particular, to transfer the licensing and regulatory functions of the Committee to the Jersey Competition Regulatory Authority;*

These draft Regulations will enable the introduction of the Bus Strategy and permit the Home Affairs Committee to make minor changes to the Law. The Jersey Competition Regulatory Authority has indicated that it is not in a position at this time to assume responsibility for administering the process of licensing and regulating bus operations. In the meantime, therefore, the Regulations have been drafted such that the Public Services Committee will continue to licence and regulate the road service licence aspects of the Law. However, these responsibilities will be handed over to the Jersey Competition Regulatory Authority at the earliest opportunity.

Regulation 8 is the relevant section dealing with the main aspects of the bus strategy.

Manpower implications

There are no manpower implications involved in adopting these Regulations.

Financial implications

The only direct costs associated with these Regulations will be an increase in the costs of advising the public of licence applications and variations and maintaining a register of the decisions of the Committee in respect of applications, etc. However, as it is expected that there will be greater stability in bus services over the coming years and there is provision in the Regulations to recover the costs to the States of processing applications from the applicant, it is believed that the direct costs of these Regulations will be minimal.

Explanatory Note

These Regulations amend the Motor Traffic (Jersey) Law 1935 (“the Law” in the Regulations) to allow for the implementation of a new bus strategy. The opportunity has also been taken to amend the Law to reflect present day practices and to put its provisions into a more logical order.

Regulation 1 defines what the term “the Law” means when used in the Regulations.

Regulation 2 replaces the heading to Part I of the Law.

Regulation 3 replaces Article 1 of the Law (Interpretation) - terms like “omnibus” cannot, at present, be replaced with modern terms since the terms are used in other legislation by reference to the 1935 Law.

Regulation 4 introduces a new Part heading - Part 2.

Regulation 5 renumbers Article 3 of the Law and also updates a reference to a Law.

Regulation 6 renumbers Article 7 of the Law.

Regulation 7 renumbers Article 8 of the Law and also provides that information about certain offences under the Law can be given to the States Police and not just to the Honorary Police of the Parish in which the offence was committed.

Regulation 8 replaces Part II of the Law with 4 new Parts namely -

Part 3, which provides for the regulation of public service vehicles. It substantially repeats the existing provisions of the Law but without certain provisions that are now, some 67 years after the Law was enacted, no longer relevant. In brief, it prescribes what a public service vehicle is and then requires that each public service vehicle must have a Public Service Vehicle licence, which will only be granted or continue to have effect if a certificate of fitness is in force in respect of the vehicle.

Part 4, which requires a person to have an omnibus service licence to run an omnibus service and sets out how a person may obtain such a licence. It also set out the criteria the Public Service Committee must take into account when considering applications for omnibus service licences. Of particular note is the ability of the Public Services Committee to seek tenders for the provision of omnibus services and, in defined circumstances, to offer subsidies to omnibus operators to run specified services. The Part also introduces procedures to allow public scrutiny of the manner in which the Committee makes its decisions. There is also a right of appeal to the Royal Court against a decision of the Public Services Committee. The requirement that a person must have a char-à-banc service licence to operate a char-à-banc service is abolished.

Part 5, which provides that, with a few specified exceptions, a person must possess and display a badge that shows the person to be authorized to drive public service vehicles, when driving such a vehicle. The Part substantially repeats many of the present provisions of the Law but now puts the emphasis on the possession of the relevant badge.

Part 6, which gathers together miscellaneous provisions relating to the operation of public service vehicles, namely hours of driving, licences and badges to be produced on request, notice of certain events to be given (e.g. death of licence holder), regulation of the conduct of passengers and drivers, the provision of stands for public service vehicles and contracts for the carriage of passengers.

Regulation 9 replaces Part III of the Law with a new Part, namely Part 7, which sets out general miscellaneous provisions such as the giving of false information or the misuse of a licence or badge, offences by corporations and certain others, limits on the disclosure of information provided for the purpose of the Law, entry and search of premises, limitation on civil liability, service of notices under the Law, Regulations and Orders and the citation of the Law. In general the provisions of the Law as they presently exist have been repeated but in a more logical order.

Under the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, the standard scale of fines is -

Level 1	£50
Level 2	£500
Level 3	£2,000
Level 4	£5,000

MOTOR TRAFFIC (No. 8) (JERSEY) REGULATIONS 200

ARRANGEMENT OF REGULATIONS

1. Interpretation
2. Heading replaced
3. Article 1 repealed and replaced
4. Heading replaced
5. Article 3 amended
6. Article 7 amended
7. Article 8 amended
8. Part II repealed and replaced
9. Part III repealed and replaced
10. Citation and commencement

Motor Traffic (Jersey) Law 1935

MOTOR TRAFFIC (No. 8) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851,^[1] and by Article 54A of the Motor Traffic (Jersey) Law 1935, as amended,^[2] have made the following Regulations -

Interpretation

1. In these Regulations “the Law” means the Motor Traffic (Jersey) Law 1935, as amended.^[3]

Heading replaced

2. For the heading appearing before Article 1 of the Law^[4] there shall be substituted the following heading -

“PART 1

INTERPRETATION”.

Article 1 repealed and replaced

3. For Article 1 of the Law^[5] there shall be substituted the following Article -

“ARTICLE 1

Interpretation

- (1) In this Law, unless the context otherwise requires -

‘badge’ means a badge issued under Article 29 that authorizes a person to drive a public service vehicle;

‘cab’ means a motor vehicle being used to provide a cab service;

‘cab service’ means a service that consists of the carriage by motor vehicles of passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at a fixed rate or for an agreed sum;

‘certificate of fitness’ means a certificate issued under Article 8(2);

‘char-à-banc’ means a motor vehicle being used to provide a char-à-banc service;

‘char-à-banc service’ means a service that consists of the carriage by motor vehicles of passengers for hire or reward at separate fares, for a journey or circuit, from one or more points of departure specified in advance to one or more common destinations so specified, and not stopping to take up or set down passengers except in the neighbourhood of the points of departure and of the common destination;

‘Committee’, where no Committee is specified or indicated, means the Home Affairs Committee;

‘contravene’ includes fail to comply;

‘documents’ includes accounts, deeds, writings and information recorded in any form, whether or not legible to the naked eye;

‘fare’ includes a sum payable in respect of a season ticket or any type of multiple journey ticket;

‘function’ includes power, authority and duty;

‘hire vehicle’ means a motor vehicle designed to carry no more than 8 people that is let on hire on terms that provide for the vehicle to be driven by the hirer or by another person specified in the hire agreement;

‘Inspector’ means the Inspector of Motor Traffic appointed under Article 2;

‘modify’ includes add to, amend, alter, replace, revoke and delete;

‘motor vehicle’ means a mechanically propelled vehicle (and any trailer attached to the vehicle) intended or adapted for use on a road;

‘omnibus’ means a motor vehicle being used to provide an omnibus service;

‘omnibus service’ means a service that consists of the carriage by motor vehicles of passengers for hire or reward at separate fares, stage by stage, and stopping to pick up or set down passengers along the line of route;

‘omnibus service licence’ means a licence granted under Article 19 that authorizes a person to provide an omnibus service;

‘Police Officer’ means a member of the Honorary Police or a member of the States of Jersey Police Force;

‘public service vehicle’ means a motor vehicle used to carry passengers for hire or reward but does not include a hire vehicle;

‘public service vehicle licence’ means a licence granted under Article 9 authorizing a person to use a motor vehicle as a cab, char-à-banc or omnibus;

‘road’ means a public road, any other road to which the public has access, a public place and a sea beach;

‘this Law’ includes Regulations and Orders made under this Law;

‘Traffic Officer’ means the Inspector, the Deputy Inspector of Motor Traffic or a Traffic Officer appointed under Article 2.

(2) If -

(a) a motor vehicle designed to carry 8 people or less is not being used in the course of a business of carrying passengers; but

(b) contributions are received by the carrier for the journey concerned,

the vehicle shall not be taken for the purposes of this Law as being used to carry passengers for hire or reward if the total of the contributions received does not involve an element of profit.

(3) A reference in this Law to a Part or Article by number only is a reference to the Part or Article of that number in this Law.

(4) A reference in an Article or other division of this Law to a paragraph, sub-paragraph or clause by number or letter only is a reference to the paragraph, sub-paragraph or clause of that number or letter contained in the Article or other division of this Law.

(5) Unless the context otherwise requires, a reference in this Law to an enactment is a reference to that enactment as amended from time to time and includes a reference to that enactment as extended or applied by or under another enactment, including another provision of this Law.”.

Heading replaced

4. For the heading “ADMINISTRATION” after Article 1 of the Law^[6] there shall be substituted the heading -

“PART 2
ADMINISTRATION”.

Article 3 amended

5. In Article 3 of the Law⁶ -

- (a) for the heading “Article 3” there shall be substituted the heading -

“ARTICLE 2

Appointment of Traffic Officers”

; and

- (b) in paragraph (1) for the citation “Civil Service Administration (Jersey) Law, 1953” there shall be substituted the citation “Civil Service Administration (Jersey) Law 1961^[7]”.

Article 7 amended

6. In Article 7 of the Law^[8] for the heading “Article 7” there shall be substituted the heading -

“ARTICLE 3

Traffic Officers to take oath”.

Article 8 amended

7. In Article 8 of the Law⁸ -

- (a) for the heading “Article 8” there shall be substituted the heading -

“ARTICLE 4

Traffic Officers to report offences”

; and

- (b) for the words “the Police of the Parish in which such criminal or other offence was committed” there shall be substituted the words “a member of the Honorary Police of the Parish in which such criminal or other offence was committed or a member of the States of Jersey Police Force”.

Part II repealed and replaced

8. For Part II of the Law^[9] there shall be substituted the following Parts -

“PART 3

REGULATION OF PUBLIC SERVICE VEHICLES

ARTICLE 5

Classification of public service vehicles

- (1) For the purposes of this Law public service vehicles shall be divided into 3 classes, namely -
 - (a) those used to provide an omnibus service;
 - (b) those used to provide a char-à-banc service; and
 - (c) those used to provide a cab service.

(2) If a person is carried in a motor vehicle for a journey or circuit in consideration of a separate payment made by the person, whether to the owner of the vehicle or to any other person, the vehicle in which the person is carried shall be taken to be a vehicle carrying passengers for hire or reward at separate fares, whether the payment is solely in respect of the journey or circuit or not.

ARTICLE 6

When a public service vehicle licence required

(1) A person must not cause or permit a motor vehicle to be used on a road as an omnibus, a char-à-banc or a cab unless the person is the holder of a public service vehicle licence to use the vehicle as a vehicle of that class.

(2) Despite paragraph (1) -

- (a) a person who is the holder of a public service vehicle licence to use a vehicle as an omnibus may use the vehicle as a char-à-banc or as a cab; and
- (b) a person who is the holder of a licence to use a vehicle as a char-à-banc may use the vehicle as a cab.

(3) The Public Services Committee may by written notice consent to a vehicle licensed as a char-à-banc being used on an omnibus service if it is satisfied that there are special circumstances, including the character of the service, to justify doing so.

(4) A person who causes or permits a motor vehicle to be used as a public service vehicle in contravention of this Article shall be guilty of an offence and is liable to a fine not exceeding level 4 on the standard scale.^[10]

ARTICLE 7

Committee may make Orders as to condition of public service vehicles

(1) The Committee may by Order prescribe conditions as to fitness to be fulfilled by public service vehicles and the equipment to be carried by them to qualify for a certificate of fitness.

(2) Different conditions may be prescribed in respect of -

- (a) different classes and descriptions of public service vehicles; and
- (b) the same class or description of public service vehicles in different circumstances.

ARTICLE 8

Certificates of fitness

(1) A person may, on payment of the fee prescribed by the Committee by Order, submit a vehicle for examination by the Inspector.

(2) If, after examination, the Inspector is satisfied that a vehicle complies with the requirements of any relevant Order made under Article 7, the Inspector shall issue in respect of the vehicle a certificate to the effect that

the vehicle is suitable for use as an omnibus, a char-à-banc or a cab, as the case may be.

(3) A certificate of fitness shall, unless previously revoked, continue in force for such period, not being less than 6 months or more than 12 months, as shall be specified in it.

(4) The Committee may at any time revoke a certificate of fitness if it appears to the Committee that the vehicle is for any reason unsuitable for use as a public service vehicle.

(5) The Inspector may suspend a certificate of fitness in respect of a public service vehicle if it appears to the Inspector that the vehicle does not comply with a requirement of a relevant Order made under Article 7 or is for any other reason unsuitable for use as a public service vehicle.

(6) If the Inspector suspends a certificate of fitness under paragraph (5) he shall as soon as practicable give notice of the suspension to the holder of the certificate and shall, within 48 hours, make a report in writing to the Committee.

(7) The suspension shall continue in force until it is removed by the Committee.

ARTICLE 9

Grant of public service vehicle licences

(1) Except as otherwise provided by this Article, the Committee shall on payment of the fee prescribed by the Committee by Order grant a public service vehicle licence in respect of a vehicle.

(2) The power of the Committee under paragraph (1) is subject to the power of the Public Services Committee in its absolute discretion to decide that public service vehicle licences shall not be granted in excess of such number as it may in all the circumstances consider desirable in relation to any class of public service vehicle.

(3) The Committee must not grant a public service vehicle licence in respect of a vehicle unless the Committee is satisfied -

- (a) that a certificate of fitness appropriate to that class of vehicle is in force in respect of the vehicle;
- (b) that the applicant is fit and proper to hold the licence; and
- (c) as to the manner in which the vehicle will be used.

(4) A public service vehicle licence is valid for 1 year from the date of its grant unless previously cancelled or revoked.

(5) The Committee must, on the grant of a public service vehicle licence in respect of a vehicle, determine the maximum number of passengers that may be carried in the vehicle or in any part of it.

(6) For this purpose the Committee may divide passengers into classes according to age, and may make different computations in respect of different classes of passengers.

ARTICLE 10

Suspension or revocation of public service vehicle licences

(1) The Committee may suspend or revoke a public service vehicle licence if it appears to the Committee that its holder is not fit to continue to hold the licence having regard to -

- (a) the holder's conduct; or
- (b) the manner in which the vehicle has been used.

(2) A public service vehicle licence granted in respect of a vehicle ceases to be valid if no certificate of fitness is in force in respect of the vehicle.

ARTICLE 11

Power to stop and enter public service vehicles

(1) A Police or Traffic Officer may at any time enter and inspect a public service vehicle and for that purpose may require a public service vehicle to be stopped.

(2) A Police or Traffic Officer may at any time that is reasonable having regard to the circumstances of the case, enter premises on which the Officer has reason to believe that a public service vehicle is kept.

(3) A person who -

(a) obstructs a Police or Traffic Officer when attempting to enter a public service vehicle or premises in accordance with this Article; or

(b) when required so to do in accordance with this Article, fails to stop a public service vehicle,

shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.^[11]

ARTICLE 12

Obligation to report damage to public service vehicles

(1) The holder of a public service vehicle licence must as soon as practicable report to the Committee -

(a) any failure of or damage to the vehicle in respect of which the licence was granted that may affect the safety of its passengers or of persons using the road, or that affects its appearance; or

(b) any alteration to the vehicle other than the replacement of parts.

(2) A person who fails to comply with a provision of paragraph (1) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.^[12]

ARTICLE 13

Committee to issue licence plate

(1) The Committee must on the first issue of a public service vehicle licence in respect of a motor vehicle issue to the holder of the licence a plate (which shall remain the Committee's property) that bears a distinguishing mark.

(2) The holder of the licence must display the plate on the vehicle, free from obstruction, in a conspicuous position approved by the Inspector.

(3) The holder or former holder of the licence must return the plate to the Committee if the licence is suspended or revoked, or expires and is not renewed.

(4) The Committee must return the plate, in the case of the suspension of a licence, if the suspension is lifted.

(5) The holder of the licence must notify the Committee as soon as practicable if the plate is lost or defaced and the Committee must issue a replacement on payment of any fee prescribed by the Committee by Order.

(6) If, during the currency of a public service vehicle licence, its holder ceases to be the owner of the vehicle to which the licence relates, the holder must forthwith notify the Committee and return the licence.

(7) In paragraph (6) 'owner', in relation to a vehicle that is the subject of a hire-purchase agreement, means the person in possession of the vehicle under that agreement.

(8) A person who contravenes a provision of this Article shall be guilty of an offence and liable to a fine not

exceeding level 3 on the standard scale. ^[13]

PART 4

OMNIBUS SERVICE LICENCES

ARTICLE 14

Duties of Public Services Committee

(1) The first duty of the Public Services Committee when making a decision under this Part is to ensure that sufficient omnibus services are provided to satisfy all current and prospective demands for them insofar as it is reasonably practical to do so.

(2) In furtherance of that duty, the Public Services Committee shall perform its functions under this Part in a manner that is best calculated -

- (a) to protect and further both the short and long-term interests of the users of omnibus services, and to do so, wherever the Public Services Committee considers it appropriate, by promoting competition among the providers of those services;
- (b) to promote efficiency, economy and effectiveness in the provision of omnibus services;
- (c) to further the economic interests of the Island;
- (d) to impose a minimum of restrictions on the providers of omnibus services.

(3) In performing its functions under this Part, the Public Services Committee must have regard to the need to ensure that those providing omnibus services have sufficient financial and other resources to provide those services.

ARTICLE 15

Requirement for an omnibus service licence

(1) A person shall not provide an omnibus service except in accordance with the terms of an omnibus service licence that authorizes the person to provide the service.

(2) A person shall not provide all or any part of an omnibus service except in accordance with the conditions contained in the licence that authorizes the provision of the service.

(3) A person shall not use a motor vehicle to provide an omnibus service unless a public service vehicle licence that authorizes the vehicle to be used for that purpose is in force in respect of the vehicle.

(4) A person shall not use a motor vehicle to provide an omnibus service in contravention of a condition contained in the public service vehicle licence in force in respect of the vehicle.

(5) A person shall not offer to provide, or hold himself out as being able and willing to provide an omnibus service which if provided would be a contravention of paragraph (1).

(6) A person who contravenes paragraph (1), (2), (3), (4), or (5) shall be guilty of an offence and liable to imprisonment for a term not exceeding 12 months or to a fine, or both.

ARTICLE 16

Civil enforcement of requirement for omnibus service licence

(1) The Public Services Committee may bring civil proceedings, for an injunction or other appropriate relief, to compel compliance with Article 15.

(2) The Royal Court may grant an injunction to restrain a contravention or threatened contravention of

Article 15.

ARTICLE 17

Suspension of requirement

(1) The Public Services Committee may by Order suspend in whole or in part the operation of Article 15 if it considers it to be in the public interest to do so.

(2) The suspension may be made on terms and subject to any conditions the Public Services Committee considers appropriate.

(3) The suspension has effect on and from the day specified in the Order, being a day not earlier than the making of the Order.

(4) The suspension has effect for 12 months unless a shorter period is specified in the Order when it has effect for that shorter period.

(5) The power under paragraph (1) is not exercisable more than once in respect of any set of circumstances, except to revoke or amend the Order.

(6) The Public Services Committee has no power to amend the Order to extend the period of suspension to more than 12 months.

ARTICLE 18

Exemption from requirements

(1) The Public Services Committee may, by written notice, exempt a person from compliance with Article 15(1).

(2) The exemption may be in respect of -

(a) a public service motor vehicle specified in the notice when used in the circumstances also so specified;
or

(b) a particular journey or series of journeys specified in the notice to be made by a public service vehicle.

ARTICLE 19

Grant of omnibus service licences

(1) The Public Services Committee may, on the application of any person, grant the person an omnibus service licence to permit the person to provide the omnibus service specified in the licence.

(2) Instead of accepting or seeking an application under paragraph (1), the Public Services Committee may invite tenders by public auction for the grant of an omnibus service licence to provide a specified omnibus service.

(3) The Public Services Committee shall determine the terms and conditions of an auction mentioned in paragraph (2) and may publish details of such an auction in the Island or elsewhere.

(4) The Public Services Committee may refuse to grant an omnibus service licence on an application made under paragraph (1) if it considers that to do so would be consistent with its duties under this Part.

(5) In addition the Public Services Committee may refuse such an application if -

(a) any reasonable application fee determined by the Public Services Committee has not been paid;

(b) any information that the Public Services Committee requires to determine the application has not been provided; or

(c) any other requirement as, in the opinion of the Public Services Committee, is appropriate (including, if the Public Services Committee so requires, satisfying a third person with respect to any matter) has not been met in respect of the application.

(6) An omnibus service licence shall be in writing.

(7) The Public Services Committee may grant an omnibus service licence unconditionally or subject to conditions, which shall be set out in the licence.

(8) The Public Services Committee may grant an omnibus service licence for any period, which shall be specified in the licence.

(9) The amount required to be paid to the Public Services Committee under paragraph (5)(a) shall be fixed at a level necessary to enable the Public Services Committee to recover its cost in considering the application.

ARTICLE 20

Omnibus service licence conditions

(1) The conditions that the Public Services Committee may grant an omnibus service licence subject to shall be such, as in its opinion, are necessary or desirable to achieve its duties under this Part.

(2) Those conditions shall include (but are not limited to) conditions relating to, or imposing requirements for, any one or more of the following -

(a) the manner in which the service authorized by the licence is to be provided;

(b) the provision, as part of the service authorized by the licence, of a social or cross-subsidized service;

(c) the standard of performance to be achieved in providing the service authorized by the licence;

(d) the establishment and operation of a procedure for receiving and resolving complaints against the licensee by users of the service authorized by the licence;

(e) the terms and conditions to be included in the contract between the licensee and the users of the service authorized by the licence;

(f) the payment to the Public Services Committee or to any other public body of an amount or amounts for the use of facilities to be used by the licensee to provide the service authorized by the licence;

(g) the provision to the Public Services Committee of documents, accounts, estimates, returns or other information relating to the provision of the service authorized by the licence;

(h) the prevention or reduction of anti-competitive behaviour;

(i) the approval by the Public Services Committee of the public service vehicle or vehicles to be used to provide the service authorized by the licence.

(3) In addition the conditions contained in an omnibus service licence may require the licensee to do all or any of the following -

(a) not to do, not to continue to do or not to cease to do anything under the licence without the consent of the Public Services Committee;

(b) to refer for determination by the Public Services Committee any specified question, or any specified class of questions;

(c) to act on such a determination.

(4) Further conditions contained in an omnibus service licence may relate to, or impose requirements about

- (a) competition in relation to the provision of omnibus services;
- (b) the facilities to be used to provide the service authorized by the licence;
- (c) any numbering scheme to be used in respect of the provision of the service authorized by the licence;
- (d) the routes to be provided with an omnibus or the routes to be used when providing such a service;
- (e) interconnection among the providers of omnibus services;
- (f) the provision of omnibus services for or on behalf of other persons, whether or not those persons are authorized by an omnibus service licence to provide those services;
- (g) the co-location and sharing of, and access to, facilities to be used by providers of omnibus services.

ARTICLE 21

Subsidy may be paid for provision of service

- (1) This Article applies if the Public Services Committee has satisfied itself -
 - (a) that it is in the public interest that a particular omnibus service should be provided;
 - (b) that nobody is prepared to provide the service unless a subsidy is paid for the provision of the service; and
 - (c) that to pay a subsidy to ensure that the service is provided would not be inconsistent with the Public Services Committee's duties under this Part.

(2) Where this Article applies the Public Services Committee may include in the licence to provide the service a condition that the Public Services Committee shall pay, from money available to it for the purpose, a subsidy for the provision of the service.

(3) The licence shall specify the amount to be paid or the manner in which that amount may be calculated, the time or times when it is payable and the service in respect of which it is payable.

(4) An amount due and payable by the Public Services Committee by virtue of this Article is a debt due to the licensee.

- (5) In this Article a reference to an omnibus service includes -
 - (a) any part or element of such a service; or
 - (b) a series of such services.

(6) A condition referred to in paragraph (2) is a condition contained in an omnibus service licence for the purpose of Articles 22 and 24.

ARTICLE 22

Modification of licence conditions

(1) The Public Services Committee may, of its own motion or on the application of any person, modify a condition contained in an omnibus service licence.

(2) The Public Services Committee may refuse to modify a condition on such ground as it sees fit.

(3) The power to modify a condition includes the power to insert a new condition or amend or delete an existing condition but any new condition, or condition as amended may only be a condition that could have been contained in the licence when it was granted.

ARTICLE 23

Direction to comply with licence conditions

(1) This Article applies if, in the opinion of the Public Services Committee, a licensee is in contravention of a condition contained in an omnibus service licence.

(2) The Public Services Committee shall give a direction to the licensee to take steps, or specified steps, to ensure compliance with the condition unless it is satisfied that -

- (a) its duties under this Part preclude giving the direction;
- (b) the contravention is trivial; or
- (c) the licensee is taking steps to comply with the condition and to remedy any effect of the contravention.

(3) A direction must specify -

- (a) the licence to which it relates; and
- (b) the condition contravened.

(4) A direction -

- (a) shall require the licensee to act or not to act, according to the nature of the condition and the contravention, in a manner specified in the direction;
- (b) may require the licensee to take steps, or specified steps, to remedy the effects of the contravention; and
- (c) may be modified at any time by the Public Services Committee giving a new direction in accordance with this Article.

(5) The Public Services Committee may bring civil proceedings, for an injunction or other appropriate relief, to compel compliance with a direction given under this Article.

(6) The Public Services Committee may revoke the licence if a person fails to comply with a direction given under this Article.

ARTICLE 24

Notice and consultation

(1) This Article applies to a decision by the Public Services Committee on whether or not -

- (a) to grant an application for;
- (b) to revoke; or
- (c) to modify a condition contained in,

an omnibus service licence.

(2) The Public Services Committee must give notice before making a decision to which this Article applies.

(3) The notice must specify -

- (a) the matter in respect of which the decision is required;
- (b) why the decision is required;

- (c) the date when the decision would take effect;
- (d) the place where any document relating to the proposed decision may be inspected; and
- (e) the period during which written representations or objections in respect of the proposed decision may be made.

(4) If the proposed decision is whether or not to grant an omnibus service licence the document referred to in paragraph (3)(d) must include a copy of the proposed licence.

(5) If the proposed decision is whether or not to modify a condition of an omnibus service licence the document referred to in paragraph (3)(d) must include a copy of the condition before modification and a copy in draft form of the condition as modified.

(6) Any person may make representations or objections to the Public Services Committee about the proposed decision during the period specified in the notice.

(7) The Public Services Committee must consider any representations or objections so made before making its decision.

(8) When the Public Services Committee has made its decision it must give a further notice.

(9) That notice must -

- (a) refer to the matters contained in the previous notice;
- (b) contain a summary of the representations and objections received;
- (c) contain details of the Public Services Committee's responses to them sufficient in content to enable them to be understood and the reasons for them to be known;
- (d) if the full text of the responses is not contained in the notice, specify the place where a document setting them out may be inspected; and
- (e) state when the decision is to have effect.

(10) A notice given under this Article shall be given by the Public Services Committee in such manner as it is satisfied best brings the notice to the attention of those affected by the decision. and may for that purpose be given by notice published in the Jersey Gazette.

ARTICLE 25

Appeals

(1) Any person may appeal to the Royal Court against a decision made by the Public Services Committee to which Article 24 applies, whether or not the decision has taken effect.

(2) Notice of the appeal must be lodged with the Royal Court within 29 days of notice being given in accordance with Article 24(8) or within such further period as the Court may allow if it considers it desirable to do so in the interests of justice.

(3) In determining an appeal under this Article, the Royal Court is not restricted to a consideration of questions of law or to the facts contained in an application, or other information, before the Public Services Committee.

(4) When it determines an appeal the Royal Court may -

- (a) confirm the decision of the Public Services Committee; or
- (b) substitute for that decision any decision the Public Services Committee could have made.

(5) The Royal Court may make such orders as it thinks appropriate, including ancillary orders and orders as to costs.

(6) If notice of an appeal is lodged with the Court in accordance with this Article against a decision that has not taken effect the decision shall not take effect (if at all) until after the date when the appeal has been finally disposed of unless a later date was specified by the Public Services Committee in the notice given in accordance with Article 24(8) when it shall take effect on that later date.

ARTICLE 26

Power to require information

(1) The Public Services Committee may take the action referred to in this Article -

(a) to investigate an alleged offence under this Part; or

(b) in the exercise of a function under this Part.

(2) The Public Services Committee may, by notice in writing, require a person to produce to the Committee, or to a person appointed by it, a document specified or described in the notice that is in the custody, or under the control, of that person.

(3) The notice may specify the time, manner and form in which the document is to be produced.

(4) The Public Services Committee may, by notice in writing, require a person carrying on a business to furnish to the Public Services Committee, and have verified, an estimate, return or other information specified or described in the notice.

(5) The notice may specify the time, manner and form in which the estimate, return or information is to be furnished and verified.

(6) The Public Services Committee may -

(a) keep a document produced under paragraph (2) for a reasonable time; and

(b) take copies of the document.

(7) A person cannot be compelled for a purpose referred to in paragraph (1) -

(a) to produce a document that the person cannot be compelled to produce in proceedings before the Royal Court; or

(b) to give information that the person cannot be compelled to give in evidence in proceedings before the Royal Court.

(8) A person who refuses or, without reasonable excuse, fails to comply with the requirements of a notice under paragraph (2) or (4) shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.^[14]

(9) A person who intentionally alters, suppresses or destroys a document that is the subject of a notice under paragraph (2) or (4) shall be guilty of an offence and liable to imprisonment for a term not exceeding 5 years or to a fine, or both.

(10) If a person fails to comply with the requirements of a notice under paragraph (2) or (4) the Royal Court may, on application by the Public Services Committee, make an order requiring compliance, and the order may provide that the costs of, and incidental to, the application shall be paid by the person who failed to comply with the notice.

ARTICLE 27

Register

- (1) The Public Services Committee shall keep a register in which it shall enter details of -
 - (a) each omnibus licence it grants;
 - (b) any modification of the conditions of any such licence;
 - (c) any direction it gives under Article 23;
- (2) The register shall be open for inspection by the public during usual office hours.

PART 5

AUTHORITY TO DRIVE PUBLIC SERVICE VEHICLES

ARTICLE 28

Authority to drive public service vehicles

- (1) A person must not -
 - (a) drive a public service vehicle on a road unless the person is the holder of a badge that authorizes the person to drive public service vehicles of the type being driven; or
 - (b) employ a person to drive a public service vehicle on a road unless the person is the holder of a badge that authorizes the person to drive public service vehicles of the type the person is employed to drive.
- (2) A person who contravenes a provision of paragraph (1) shall be guilty of an offence and is liable to a fine not exceeding level 3 on the standard scale.^[15]
- (3) Paragraph (1) does not apply to a person who drives or employs a person to drive a public service vehicle to test it, or to deliver it for or following maintenance or repair.
- (4) Paragraph (1) does not apply to a person who drives a public service vehicle to be instructed in its use or to undergo a prescribed test under the Road Traffic (Jersey) Law 1956.^[16]
- (5) Paragraph (1) does not apply to a Police Officer or a person acting under the direction of a Police Officer who drives a public service vehicle to remove it from a road or to move it to another position on that road or another road pursuant to Article 2 of the Road Traffic (Removal of Vehicles) (Jersey) Order 1963.^[17]
- (6) Paragraph (1) does not apply to a Police or Traffic Officer who drives a public service vehicle in the course of inspecting it pursuant to Article 11 of this Law or Article 117 of the Motor Vehicles (Construction and Use) (Jersey) Order 1998.^[18]
- (7) Paragraph (1) does not apply to -
 - (a) a Police or Traffic Officer;
 - (b) a member of the States of Jersey Fire and Rescue Service or States of Jersey Ambulance Service; or
 - (c) a person acting under the direction of a Police Officer,who drives a public service vehicle in an emergency.
- (8) Paragraph (1) does not apply to the driver of a vehicle recovery vehicle who drives a public service vehicle in the course of recovering the vehicle.

ARTICLE 29

Issue of badge to drive public service vehicles

- (1) An application for a badge to drive a public service vehicle must -
 - (a) be made to the Inspector on a form provided or approved for the purpose by the Inspector;
 - (b) specify the type of public service vehicle in respect of which the application is made; and
 - (c) be accompanied by any fee prescribed by the Committee by Order.
- (2) The Inspector shall not issue a badge to drive a public service vehicle of the specified type unless the applicant has satisfied the Inspector that the applicant -
 - (a) has attained the age of 21 years;
 - (b) is fit (both as to health and as to character) to drive public service vehicles of the specified type;
 - (c) is capable of safely driving public service vehicles of the specified type; and
 - (d) has an adequate knowledge of the Island.
- (3) A badge to drive a public service vehicle shall be in a form approved by the Inspector and shall specify the type of public service vehicle its holder is authorized to drive.
- (4) A badge issued by the Inspector remains the property of the Committee.

ARTICLE 30

Suspension of authority given by a badge

- (1) The Inspector may, by written notice served on the holder of a badge, suspend the authority the badge gives the person to drive a public service vehicle if the Inspector is satisfied that, by reason of the person's conduct or a physical or mental disability, the person is not a fit person to drive a public service vehicle of the type specified on the badge.
- (2) If the Inspector suspends the authority given by a badge the holder of the badge must return the badge to the Inspector as soon as practicable.
- (3) A person who fails to comply with paragraph (2) shall be guilty of an offence and is liable to a fine not exceeding level 3 on the standard scale.^[19]
- (4) If the Inspector suspends the authority given by a badge to drive a public service vehicle the holder of the badge may at any time apply to the Committee for the suspension to be lifted.
- (5) The Inspector must return the badge to its holder if the Committee lifts the suspension.

ARTICLE 31

Badge to be worn

- (1) The holder of a badge must wear the badge in a conspicuous position so that it is easily legible when driving a public service vehicle.
- (2) The holder of a badge must report any loss or destruction of the badge to the Inspector as soon as practicable.
- (3) A person who contravenes a provision of this Article shall be guilty of an offence and is liable to a fine not exceeding level 3 on the standard scale.^[20]

ARTICLE 32

Duration of authority given by badge

A badge authorizes its holder to drive public service vehicles of the type specified on the badge for 1 year from the date of its issue.

ARTICLE 33

Appeal against refusal to issue badge

- (1) If the Inspector refuses to issue a badge the applicant may appeal to the Committee against the refusal.
- (2) The decision of the Committee shall be final.

PART 6

MISCELLANEOUS - PUBLIC SERVICE VEHICLES

ARTICLE 34

Fatigue

- (1) The Committee may by Order prescribe the periods of time during which -
 - (a) a person may drive a public service vehicle; or
 - (b) an employer may require or permit an employee to drive a public service vehicle.
- (2) Different periods may be prescribed with respect to different types of public service vehicles.

ARTICLE 35

Licences or badges to be produced

(1) The holder of a public service vehicle licence, an omnibus service licence or a badge shall produce the licence or badge for examination on being required to do so by a Police or Traffic Officer.

(2) Paragraph (1) shall be taken to have been complied with if within 24 hours after the production of the licence or badge was required it is produced to a Police or Traffic Officer at a place notified to the holder of the licence or badge at the time its production was required.

(3) A person who fails to comply with paragraph (1) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale. [\[21\]](#)

ARTICLE 36

Notice given of certain events

- (1) This Article applies if notice has been given to the Committee of -
 - (a) the death of;
 - (b) the appointment of a Curator to; or
 - (c) the appointment of a General Attorney (“Procureur-Général”) by,a person who is the holder of a public service vehicle licence or an omnibus service licence.
- (2) If an application for a new licence is made within 14 days of the death or appointment, then -
 - (a) the executor or other legal representative;

- (b) the Curator; or
- (c) the General Attorney,

as the case may be, of the holder of the licence shall be taken to be the holder of the licence as from the date of the death or appointment. for such period as is necessary to enable the application to be dealt with.

(3) That period shall not extend beyond the date on which the licence would have expired if its holder had not died or if no appointment had been made, and shall terminate immediately upon the grant or refusal of the new application.

(4) In this Article 'Committee' in respect of an omnibus service licence means the Public Services Committee.

ARTICLE 37

Regulations in respect of public service vehicles

The States may make Regulations -

- (a) as to the conduct of passengers in public service vehicles; and
- (b) as to the conduct of the holders of badges when driving public service vehicles.

ARTICLE 38

Stands for public service vehicles

(1) A Committee of the States may fix stands for public service vehicles of any class or description on property under its administration.

(2) The Public Services Committee may, with the approval of the Constable of a parish, fix stands for public service vehicles of any class or description in relation to a highway within the parish.

(3) The States may make Regulations that determine the manner of using the stands.

(4) In particular, but without prejudice to the generality of paragraph (3), the Regulations may restrict the use of any stand or stands to cabs licensed under the Regulations.

(5) The Regulations may contain incidental and supplementary provisions that appear to the States to be necessary to assure an adequate service of such cabs.

(6) The Public Services Committee may prescribe fares and charges payable for the hire of cabs licensed under Regulations made in pursuance of paragraph (4).

(7) Nothing in this Article derogates from the power of the States -

- (a) to allow the holder of a public service vehicle licence to use public property or property under the control of the States to station vehicles; and
- (b) to charge for allowing them to do so.

-

ARTICLE 39

Contract for conveyance in public service vehicles

A contract for the conveyance of a passenger in a public service vehicle is void in so far as it -

- (a) purports to negate or restrict the liability of a person in respect of a claim that may be made against that person in respect of the death of, or bodily injury to the passenger while being carried in, entering or

alighting from the vehicle; or

- (b) purports to impose a condition with respect to the enforcement of any such liability.”.

Part III repealed and replaced

9. For Part III of the Law^[22] there shall be substituted the following Part -

“PART 7

GENERAL PROVISIONS

ARTICLE 40

False information and misuse of licence

(1) A person who knowingly or recklessly provides a person entitled to information under this Law with information that is false or misleading in a material particular shall be guilty of an offence if the information is provided -

- (a) in purported compliance with a requirement imposed under this Law; or
- (b) in connection with an application under this Law.

(2) A person shall be guilty of an offence if, with intent to deceive, the person -

- (a) forges or alters or uses or lends to or allows to be used by any other person a licence under this Law or a badge; or
- (b) makes or has in the person’s possession a document or item so closely resembling such a licence or badge as to be calculated to deceive.

(3) A person who is guilty of an offence under paragraph (1) or (2) shall be liable to imprisonment for term not exceeding 5 years or a fine, or both.

ARTICLE 41

General provisions as to offences

(1) If an offence under this Law committed by a limited liability partnership or body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of -

- (a) a person who is a partner of the partnership, or director, manager, secretary or other similar officer of the body corporate; or
- (b) any person purporting to act in any such capacity,

the person shall also be guilty of the offence and liable in the same manner as the partnership or body corporate to the penalty provided for that offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) shall apply in relation to acts and defaults of a member in connection with his or her functions of management as if the member were a director of the body corporate.

(3) A person who aids, abets, counsels or procures the commission of an offence under this Law shall also be guilty of the offence and liable in the same manner as a principal offender to the penalty provided for that offence.

(4) An offence may be committed under this Law whether or not the act or omission that constitutes the offence, or is an ingredient of the offence, causes any interruption to, or prevention of, the provision of an omnibus service.

ARTICLE 42

Limit on disclosure in general

(1) A person shall not disclose information with respect to a person or business during the lifetime of that person or so long as that business continues, without the consent of that person or the person for the time being carrying on that business, if the information -

- (a) has been obtained under this Law; and
- (b) relates to the private affairs of the person or to the business.

(2) A person who discloses information in contravention of this Article shall be guilty of an offence and liable to imprisonment for a term not exceeding 2 years or to a fine, or both.

(3) Paragraph (1) shall not apply to the disclosure of information -

- (a) to facilitate the performance by the Home Affairs Committee or the Public Services Committee of its functions under this Law;
- (b) to enable the holder of an omnibus service licence to run an omnibus service in compliance with the licence;
- (c) in connection with the investigation of a criminal offence or for the purposes of criminal proceedings, or generally in the interests of the prevention or detection of crime, whether in Jersey or elsewhere;
- (d) for the purposes of civil proceedings arising under this Law;
- (e) to comply with a direction of the Court;
- (f) to enable or assist the Jersey Financial Services Commission or the Finance and Economics Committee to exercise a power relating to companies or financial services of any kind, being a power conferred by an enactment;
- (g) to enable or assist an inspector appointed under the Companies (Jersey) Law 1991^[23] to carry out the inspector's functions;
- (h) to enable or assist the Viscount to carry out the Viscount's functions under the Bankruptcy (Désastre) (Jersey) Law 1990;^[24]
- (i) to facilitate the carrying out by any person of the person's functions under the Health and Safety at Work (Jersey) Law 1989;^[25] or
- (j) for such other purposes as the States may by Regulations prescribe.

(4) The States may, by Regulations, modify paragraph (3)(a)- (j).

ARTICLE 43

Entry and search of premises

(1) If, on application made by a Police Officer supported by information on oath, the Bailiff, a Jurat or a magistrate is satisfied that there are reasonable grounds for believing that an offence under Article 6 or 15 has been or is being, committed and that there is evidence of the commission of the offence to be found on premises specified in the application he or she may issue a warrant authorizing a Police Officer to enter and search the premises within 1 month of the date of the issue of the warrant.

(2) The warrant may, but need not, authorize the Officer to use such force as is reasonably necessary to make that entry.

- (3) A Police Officer who enters premises by authority under this Article -
- (a) may, if so authorized by a warrant under this Article, use such force as is reasonably necessary to make that entry;
 - (b) may take with the Officer such other persons as may be necessary;
 - (c) shall, if a person on the premises so requires, show proof of the Officer's authority as such an Officer and show the warrant authorizing the entry; and
 - (d) on leaving unoccupied premises so entered, shall leave them as effectively secured against trespassers as the Officer found them.

(4) A person who obstructs a Police Officer in the execution of a warrant issued under this Article commits an offence and is liable to a term of imprisonment not exceeding 6 months or a fine not exceeding level 3 on the standard scale, ^[26] or both.

ARTICLE 44

Limitation of civil liability

(1) A person or body to whom this Article applies shall not be liable in damages for anything done or omitted in the discharge or purported discharge of a function under this Law unless it is shown that the act or omission was in bad faith.

- (2) This Article applies to -
- (a) the States;
 - (b) the Home Affairs Committee;
 - (c) the Public Services Committee;
 - (d) a member of either of those Committees, or a person who is, or is acting as, an officer, employee or agent of either of those Committees or performing a duty or exercising a power on behalf of either of those Committees; and
 - (e) a Traffic Officer.

(3) A person is not entitled to claim or to receive compensation in respect of a change in the value of a licence, badge, or approval, or of a right arising under this Law, being a change resulting from the modification of a licence condition, the revocation or suspension of a licence, badge or approval or otherwise resulting directly or indirectly from the exercise of a function under this Law.

- (4) Paragraph (3) is included for the avoidance of doubt and does not limit the operation of paragraph (1).

ARTICLE 45

Service of notices etc.

(1) A notice required by this Law or any licence granted under this Law to be given to a Committee shall not be regarded as so given until the notice is in fact received by that Committee.

(2) A notice or other document required or authorized under this Law to be given to a Committee may be given by facsimile, other electronic transmission, or by any other means by which that Committee may obtain or recreate the notice or document in a form legible to the naked eye.

(3) A notice, direction or other document required or authorized by or under this Law to be given to or served on a person other than a Committee may be given or served on the person in question -

- (a) by delivering it to the person;
- (b) by leaving it at the person's proper address;
- (c) by sending it by post to the person at that address; or
- (d) by sending it to the person at that address by facsimile, other electronic transmission, or by any other means by which the person may obtain or recreate the notice, direction or document in a form legible to the naked eye.

(4) Such a notice, direction or other document may -

- (a) be given to or served on a company incorporated in Jersey by being delivered to the company's registered office; or
- (b) be given to or served on a partnership, company incorporated outside Jersey, or unincorporated association in the manner set out in paragraph (5).

(5) That manner is -

- (a) by being given to or served (in any case) on a person who is a principal person in relation to the partnership, company incorporated outside Jersey, or unincorporated association, or on its secretary, clerk or other similar officer or a person who purports to act in any such capacity, by whatever name called, or (in the case of a partnership) on the person having the control or management of the partnership business; or
- (b) by being delivered to the registered or administrative office of such a person.

(6) For the purposes of this Article and of Article 12 of the Interpretation (Jersey) Law 1954,^[27] the proper address of a person to or on whom a document is to be given or served by post shall be the person's last known address, except that -

- (a) in the case of a company (or person referred to in paragraph (5)(a) in relation to a company incorporated outside Jersey) - it shall be the address of the registered or principal office of the company in Jersey;
- (b) in the case of a partnership (or person referred to in paragraph (5)(a), or who is a principal person, in relation to a partnership) - it shall be the address of the principal office of the partnership in Jersey.

(7) If the person to or on whom a notice, direction or other document referred to in paragraph (3) is to be given or served has notified the appropriate Committee of an address within Jersey, other than the person's proper address within the meaning of paragraph (6), as the one at which the person or someone on the person's behalf will accept documents of the same description as that document, that address shall also be treated for the purposes of this Article and Article 12 of the Interpretation (Jersey) Law 1954^[28] as the person's proper address.

(8) If the name or the address of an owner, lessee or occupier of premises on whom a notice, direction or other document referred to in paragraph (3) is to be served cannot after reasonable enquiry be ascertained it may be served by -

- (a) addressing it to the person on whom it is to be served by the description of 'owner', 'lessee' or 'occupier' of the premises;
- (b) specifying the premises on it; and
- (c) delivering it to some responsible person resident or appearing to be resident on the premises or, if there is no person to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

ARTICLE 46

Regulations and Orders

(1) The Home Affairs Committee or, as the case may be, the Public Services Committee, may by Order make provision for the purpose of carrying this Law into effect and, in particular, for or with respect to any matter that may be prescribed under this Law by Order of either Committee.

(2) The States may by Regulations make provision for the purpose of carrying this Law into effect and, in particular, for or with respect to any matter that may be prescribed under this Law by Regulations.

(3) An Order or Regulations made under this Law may -

(a) make different provision in relation to different cases or circumstances;

(b) apply in respect of particular persons or particular cases or particular classes of persons or particular classes of cases, and define a class by reference to any circumstances whatsoever; or

(c) contain such transitional, consequential, incidental or supplementary provisions as appear to the Committee making the Order or the States, as the case may be, to be necessary or expedient for the purposes of the Order or Regulations.

(4) Regulations and Orders made under this Law may create an offence punishable by a fine not exceeding level 4 on the standard scale.^[29]

(5) The Subordinate Legislation (Jersey) Law 1960^[30] shall apply to an Order made under this Law.

(6) The powers conferred on the States by the Order in Council of the 26th December, 1851,^[31] to make Regulations relating to the police of the public roads, include a power to amend any of the provisions of this Law.

ARTICLE 47

Citation

This Law may be cited as the Motor Traffic (Jersey) Law 1935’.

Citation and commencement

10. These Regulations may be cited as the Motor Traffic (No. 8) (Jersey) Regulations 200 and shall come into force on the seventh day after promulgation.

[1] Recueil des Lois, Tomes I-III, page 196.

[2] Recueil des Lois, Tome VII, page 178 and Volume 1986-1987, page 1.

[3] Recueil des Lois, Tome VII, page 160, Volume 1975-1978, page 403, Volume 1979-1981, pages 111, 187 and 231, Volume 1986-1987, page 1, Volume 2001, page 7 and Nos. 7818, 8200, 8341, 8654, 8721, 8765, 8989 and 115/2001.

[4] Recueil des Lois, Tome VII, page 160, Volume 1979-1981, page 231 and Nos. 8341, 8654 and 8721.

[5] Recueil des Lois, Tome VII, page 160, Volume 1979-1981, page 231 and Nos. 8341, 8654 and 8721.

[6] Recueil des Lois, Tome VII, page 161.

[7] Recueil des Lois, Volume 1961-1962, page 145.

[8] Recueil des Lois, Tome VII, page 162.

[9] Recueil des Lois, Tome VII, page 162, Volume 1975-1978, page 403, Volume 1979-1981, pages 111 and 187, Volume 2001, page 7 and Nos. 6574, 6676, 7818, 8200, 8721, 8765, 8989 and 115/2001.

[10] Recueil des Lois, Volume 1992-1993, page 437.

[11] Recueil des Lois, Volume 1992-1993, page 437.

[12] Recueil des Lois, Volume 1992-1993, page 437.

[13] Recueil des Lois, Volume 1992-1993, page 437.

[14] Recueil des Lois, Volume 1992-1993, page 437.

- [15] Recueil des Lois, Volume 1992-1993, page 437.
- [16] Recueil des Lois, Tome VIII, page 579 and Nos. 6998, 7004, 7020, 7072, 7081, 7219, 7229, 7411, 7472, 7495, 7878, 7917, 8016, 8077, 8096, 8150, 8160, 8196, 8340, 8457, 8624, 8722, 9116, 9180, 9205, 9294, 9308 and 178/2001.
- [17] No. 4459.
- [18] No. 9313.
- [19] Recueil des Lois, Volume 1992-1993, page 437.
- [20] Recueil des Lois, Volume 1992-1993, page 437.
- [21] Recueil des Lois, Volume 1992-1993, page 437.
- [22] Recueil des Lois, Tome VII, page 177, Volume 1986-1987, page 1 and Volume 2001, page 7.
- [23] Recueil des Lois, Volume 1990-1991, page 1005 and Volume 1998, page 269.
- [24] Recueil des Lois, Volume 1990-1991, pages 39 and 1092, Volume 1994-1995, page 399, Volume 1996-1997, pages 337, 485, 550, 607 and 641, Volume 1998, pages 264 and 594 and Volume 2000, pages 746 and 871.
- [25] Recueil des Lois, Volume 1988-1989, pages 323 and 513 and Volume 1996-1997, page 621.
- [26] Recueil des Lois, Volume 1992-1993, page 437.
- [27] Recueil des Lois, Tome VIII, page 377, Volume 1990-1991, pages 90 and 1088 and Volume 1996-1997, page 489.
- [28] Recueil des Lois, Tome VIII, page 381.
- [29] Recueil des Lois, Volume 1992-1993, page 437.
- [30] Recueil des Lois, Tome VIII, page 849 and Volume 2001, page 3.
- [31] Recueil des Lois, Tomes I-III, page 196.