

ORDER IN COUNCIL

I
1997

ratifying a Projet de Loi

ENTITLED

The Vienna Document (Privileges and Immunities) (Sark) Law, 1997

(Registered on the Records of the Island of Guernsey
on the 4th March, 1997.)



1997

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 4th day of March, 1997 before de Vic Graham Carey, Esquire, Deputy Bailiff: present:—Stanley Walter John Jehan, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley, Lawrence Oscar Ozanne, John Richard Rowe Henry, David Charles Lowe, Esquires, Mrs. Eileen May Glass, Laurence Lenfestey Guille, Derek Martin Le Page and Stephen Edward Francis Le Poidevin, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 12th day of February, 1997, approving and ratifying a *Projet de Loi* entitled "The Vienna Document (Privileges and Immunities) (Sark) Law, 1997", THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ORDERED:—

1. That the said Order in Council be registered on the records of this Island; and
2. That an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the SÉNÉSCHAL of Sark for registration on the records of that Island. Of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 12th day of February, 1997

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS, there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 20th day of November 1996 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of John Michael Beaumont, Seigneur of Sark, Lawrence Philip de Carteret, Seneschal, and Alfred William John Adams, Prevôt, of the Island of Sark, setting forth:—

‘1. That, in pursuance of their Resolution of the 6th day of October 1993, the Chief Pleas of the Island of Sark, at a Meeting held on the 5th day of October 1994, approved a Bill or “Projet de Loi” entitled “The Vienna Document (Privileges and Immunities) (Sark) Law, 1997”. 2. That the said Bill or “Projet de Loi” is as set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the Chief Pleas of Sark entitled “The Vienna Document (Privileges and Immunities) (Sark) Law, 1997, and to order that the same shall have force of law in the Island of Sark.”;

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the Projet de Loi annexed thereto into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and to ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Island of Sark.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Bailiwick of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Bailiwick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

N. H. Nicholls

The Vienna Document (Privileges and Immunities) (Sark)
Law, 1997

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of 6th October, 1993, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Sark.

Privileges and Immunities.

1. (1) Persons designated by a State other than the United Kingdom as observers, inspectors or evaluators under the Vienna Document shall enjoy, during their mission, the like privileges and immunities as in the United Kingdom are accorded to or in respect of diplomatic agents by the Diplomatic Privileges Act 1964^a.

(2) Persons designated by a State other than the United Kingdom as auxiliary personnel for an inspection or evaluation carried out under the Vienna Document and performing administrative and technical services, or domestic services, shall enjoy, during their mission, the like privileges and immunities as in the United Kingdom are accorded to or in respect of members of the administrative and technical staff or, as the case may be, of the service staff of a mission by the Diplomatic Privileges Act 1964.

Evidence.

2. If, in any proceedings, any question arises as to whether or not a person is entitled to any privilege or immunity by virtue of this Law, a certificate

^a An Act of Parliament (1964 c.81).

issued by Her Majesty's Procureur stating any fact relating to that question shall be conclusive evidence of that fact.

Interpretation.

3. (1) In this Law "the Vienna Document" means the Vienna Document 1990 of the Negotiations on Confidence and Security Building Measures convened in accordance with the relevant provisions of the Concluding Document of the Vienna Meeting of the Conference on Security and Co-Operation in Europe.

(2) Any reference in this Law to an enactment (including an Act of Parliament) is a reference thereto as amended, re-enacted, extended or applied.

Citation.

4. This Law may be cited as the Vienna Document (Privileges and Immunities) (Sark) Law, 1997.