

ORDER IN COUNCIL

**XXIII
2010**

ratifying a Projet de Loi

ENTITLED

The Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010

(Registered on the Records of the Island of Guernsey
on the 8th November, 2010.)



2010

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

8th day of November, 2010 before Sir Geoffrey Rowland, Bailiff; present:- Alan Cecil Bisson, Esquire, Barbara Jean Bartie, David Osmond Le Conte, John Ferguson, Stephen Murray Jones, Peter Sean Trueman Girard, Niall David McCathie, Esquires, Margaret Ann Spaargaren, Terry John Ferbrache, Esquire, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 13th October 2010 approving and ratifying a Projet de Loi entitled “The Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Procureur 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.



At the Court at Buckingham Palace

THE 13th DAY OF OCTOBER 2010

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

"In accordance with Your Majesty's General Order of Reference of 22 February 1952 the Committee have considered a Petition of the Chief Pleas of the Island of Sark:

"That, in pursuance of their Resolution of 30th September 2009, the Chief Pleas of the Island of Sark at a meeting on 14th April 2010 approved a *Projet de Loi* entitled the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010 and to order that it shall have force of law in the Island of Sark.

"The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it."

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Island of Sark and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty's Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

Judith Simpson

PROJET DE LOI

ENTITLED

The Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 30th September, 2009, 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.

Amendment of 2007 Law.

1. Immediately after section 1(1) of the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) Law, 2007^a ("**the Law**") there is inserted the following additional subsection -

"(1A). For the avoidance of doubt, and without limitation, a surrender of, or other transaction extinguishing, a long leasehold interest in any real property situated in Sark is a relevant property transaction for the purposes of this Law."

Citation.

2. This Law may be cited as the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law, 2010.

^a Order in Council No. VI of 2008.

Commencement.

3. This Law shall come into force on the day it is registered on the Records of the Island of Sark.

S.M.D. ROSS,
Her Majesty's Deputy Greffier.

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