

ORDER IN COUNCIL

XXII

1987

ratifying a Projet de Loi

ENTITLED

The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 16th February, 1988.)



1987

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 16th day of February, 1988 before Sir Charles Frossard, Kt., Bailiff; present:—Donald Pescott Plummer, Brian Ernest Herbert Joy, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss and John Edward Morris, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 26th November, 1987 approving and ratifying a *Projet de Loi* of the States of Alderney entitled "The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987", 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.
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 Clerk of the Court of Alderney for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 26th day of November 1987

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 1987 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 a humble Petition of Jon Kay-Mouat, Esquire, President of the States of Alderney, setting forth:

‘That at a meeting of the States of Alderney held on the 5th day of November 1986 the States adopted a Resolution that a *Projet de Loi* entitled “The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987” be approved. That at the meeting of the States aforesaid Your Humble Petitioner was authorised to present to Your Majesty in Council a Petition that the said *Projet de Loi* be sanctioned: That the said *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 *Projet de Loi* entitled “The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987” and to order that the same shall have force of Law within the Island of Alderney.’

“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 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 Alderney .

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 Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being, of the said Island of Guernsey, and also the Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G. I. de Deney.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987

ARRANGEMENT OF SECTIONS

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REGISTRATION OF NURSING AND RESIDENTIAL HOMES

Section

1. Registration of homes.
2. Cancellation of registration.
3. Procedure where registration refused or cancelled.
4. Appeals under Part I.
5. Exemptions from Part I.
6. Death or incapacity of person registered.
7. Inspection of homes.
8. Ordinances and orders.

PART II

CONTROL OF OCCUPATION OF HOMES

9. Requirement for licence.
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Section

13. Reasons for refusal of unconditional licence.
14. Withdrawal of licence.
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GENERAL AND SUPPLEMENTARY

17. Offences and penalties.
18. Offences by bodies corporate.
19. Form and service of notices etc.
20. Development of nursing and residential homes.
21. Interpretation.
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SCHEDULE 1—ENACTMENTS AMENDED

SCHEDULE 2—CONSEQUENTIAL REPEALS

PROJET DE LOI

ENTITLED

The Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987

THE STATES, in pursuance of their Resolutions of the 13th day of December 1985 and the 5th day of November 1986, 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 Alderney.

PART I

REGISTRATION OF NURSING AND RESIDENTIAL HOMES

1. (1) Subject to section 6, a person shall not carry on a nursing home or a residential home without being registered under this section in respect thereof. Registration
of homes.

(2) An application for registration under this section shall—

(a) be made to the States Health and Welfare Committee in writing, in such form and containing such particulars as the Committee may, from time to time, determine; and

(b) be accompanied by such fee as the States may, from time to time, by Ordinance prescribe.

(3) Upon receipt of an application under subsection (2) the Committee shall register the applicant in respect of the home named in the application and issue to him a certificate of registration:

Provided that the Committee may refuse to register the applicant if it is satisfied—

- (a) that he or any person employed or proposed to be employed by him at the home or in the management of the home, or any part thereof, is not a fit person, whether by reason of age or otherwise, to carry on or to be so employed at a home of such a description as the home named in the application; or
- (b) that for reasons connected with situation, construction, state of repair, means of escape from fire, accommodation, staffing or equipment, the home or any premises used in connection therewith are not fit to be used for a home of such a description; or
- (c) in the case of a nursing home, that the home or premises are used or proposed to be used for purposes which are in any way improper or undesirable in the case of a nursing home; or
- (d) in the case of a nursing home not being a maternity home, that the home is not, or will not be, under the charge of a person who is either an authorised medical practitioner or an authorised nurse and is or will be resident in the home, or that there is not, or will not be, a proper proportion of authorised nurses among the persons having the superintendence of, or employed in the nursing of the patients in, the home; or
- (e) in the case of a maternity home, that the person who has, or will have, the superintendence of the nursing of the patients in the home is not either an authorised nurse or an authorised midwife, or that any per-

son employed, or proposed to be employed, in attending any woman in the home in childbirth or in nursing any person in the home is not either an authorised medical practitioner, an authorised midwife, a student midwife or an authorised nurse; or

- (f) in the case of a residential home, that the way in which it is proposed to conduct the home is such as not to provide services or facilities reasonably required by persons resorting to a residential home.

(4) The certificate of registration issued in respect of a home shall be kept affixed in a conspicuous place in the home.

(5) The Committee shall cause to be compiled and kept up to date a register of homes for the purposes of this Law and that register shall be available for inspection by the public at the States Office on any weekday, other than a Saturday or a Bank Holiday, during such hours as the Committee may, from time to time, determine.

2. Subject to section 3, the Committee may at any time cancel the registration of a person in respect of a home— Cancellation of registration.

- (a) on any ground which would have entitled it to refuse an application for the registration of that person in respect of that home; or
- (b) if that person has been convicted of an offence against this Law or against any Ordinance made under this Law, or if any other person has been convicted of such an offence in respect of that home.

Procedure
where regis-
tration
refused or
cancelled.

3. (1) Before refusing an application for registration under section 1 or cancelling a registration under section 2 the Committee shall—

- (a) serve notice on the applicant or, as the case may be, the person registered, inviting that person to make within 14 days (himself or by a representative) written or oral representations as to why the Committee should not refuse the application or cancel the registration; and
- (b) consider any representations made in response to a notice served under paragraph (a) of this subsection.

(2) If the Committee, after considering any representations made in response to a notice served under subsection (1), decides to refuse an application for registration, or to cancel a registration, it shall record that decision in writing and serve notice upon the applicant or person registered, as the case may be, stating—

- (a) the fact of, and the reasons for, the decision; and
- (b) the time within which he may appeal to the Court under section 4 of this Law.

Appeals
under
Part I.

4. (1) A person aggrieved by a decision of the Committee such as is mentioned in section 3 may appeal therefrom to the Court.

(2) An appeal under this section shall be instituted—

- (a) within 21 days of the date of service of the notice under section 3(2); and

- (b) by a summons served on the Chairman of the Committee, setting out the grounds and the material facts upon which the appellant relies.
- (3) If on appeal under this section the Court varies or reverses any decision of the Committee, the Committee shall give effect to the order of the Court and, in particular, shall grant any necessary certificate and make any necessary entry in the register.
- (4) A decision of the Court under this section shall be final.
- 5. (1) This Part of this Law does not apply to a home managed by or on behalf of a Committee of the States or of the States of Guernsey. Exemptions from Part I.
- (2) This Part of this Law does not apply to an existing home until the expiration of the period of six months after it comes into force.
- 6. If a person registered in respect of a home dies or is certified by an authorised medical practitioner as incapable of personally carrying on the home, the Committee may, on the application of that person's legal personal representative or duly authorised representative, as the case may be, register that representative in respect of the home for such period as may be necessary to enable application to be made under section 1 for the registration of a person in respect of the home. Death or incapacity of person registered.
- 7. The Assistant Medical Officer of Health, or any other person authorised in writing in that behalf by the Committee, may, subject to such conditions as may be determined by the Committee, at all Inspection of homes.

reasonable times enter and inspect any premises which are used, or which that person has reasonable cause to believe to be used, for the purposes of a home, may inspect any records required to be kept in accordance with this Law and may make such examination and inquiry as may be necessary to ascertain whether the requirements of this Law and of any Ordinance made under this Law are being complied with:

Provided that nothing in this Law shall be deemed to authorise a person other than a medical practitioner to inspect any medical record relating to a patient in a home.

Ordinances
and orders.

8. (1) Subject to the provisions of this Law, the States may by Ordinance make provision as to the conduct of homes.

(2) Without prejudice to the generality of subsection (1), an Ordinance under this section may—

- (a) make provision as to the facilities and services to be provided in nursing homes and residential homes;
- (b) empower the Committee to limit the number of persons, or persons of any description, who may be received into a home, and to register a home subject to the condition that persons shall not be received into the home in excess of the number so limited;
- (c) provide for the keeping of records relating to homes and the notification of events occurring in homes;
- (d) empower the Committee to make such orders as may be necessary or expedient for the effectual operation of any such Ordinance;

- (e) make such incidental or supplementary provision as the States consider necessary or expedient for the purposes of any such Ordinance.

(3) Any power conferred by or under this Law to make any Ordinance or order includes a power exercisable in the like manner to vary or repeal the Ordinance or order.

PART II

CONTROL OF OCCUPATION OF HOMES

9. Subject to section 16, a person shall not occupy a nursing home as a patient, or a residential home as a resident, otherwise than under and in accordance with a licence. Require-
ment for
licence.

10. Any application for a licence shall be made to the Committee, in writing, in such form and containing such information as the Committee may from time to time require; and an applicant for a licence shall furnish the Committee with such further information as the Committee may, in his particular case, require. Application
for licence.

11. (1) Upon receipt of an application for a licence and any further information required by the Committee under section 10, the Committee may— Grant or
refusal of
licence.

- (a) grant a licence to the applicant to occupy the home to which the application relates, either unconditionally or subject to conditions; or
- (b) refuse to grant a licence to the applicant to occupy the home to which the application relates.

(2) A licence may be granted subject to such conditions as the Committee considers appropriate, including, without prejudice to the generality of the foregoing, a condition limiting the period during which the licence is to remain in force.

(3) In deciding whether or not to grant a licence, either unconditionally or subject to conditions, the Committee shall consult, and have regard to the views of, the States Finance Committee, and may take into account any factor which appears to the Committee to be appropriate to take into account.

(4) Without prejudice to the generality of subsection (3), the factors which the Committee may take into account under that subsection include—

- (a) the age, health and financial means of the applicant;
- (b) the suitability of the home to which the application relates to cater for the present and likely future requirements of the applicant;
- (c) the effect, if any, which occupation by the applicant of the home to which the application relates may have on the economic interests of Alderney.

Licences to
be personal.

12. A licence shall be personal to its holder and shall not be assignable.

Reason for
refusal of
uncondi-
tional
licence.

13. The Committee shall, as soon as practicable after deciding to refuse to grant a licence or deciding to grant a licence subject to any conditions, record that decision in writing and serve notice on the applicant for the licence stating—

- (a) the fact of, and the reasons for, that refusal or those conditions, as the case may be; and

- (b) the time within which he may appeal to the Court under section 15 of this Law.

14. (1) Subject to subsection (2), the Committee may, by notice served on the holder of a licence, withdraw that licence if it appears to the Committee that—

Withdrawal
of licence.

- (a) its holder has breached any condition subject to which it was granted; or
- (b) there has been any material change in any of the factors mentioned in paragraph (a), (b) or (c) of section 11(4) which the Committee could not reasonably have been expected to foresee as being likely to occur when the licence was granted.

(2) In deciding whether to withdraw a licence the Committee shall consult, and have regard to the views of, the States Finance Committee.

(3) Before withdrawing a licence under this section the Committee shall—

- (a) serve on its holder notice inviting him to make within 14 days (himself or by a representative) written or oral representations as to why the Committee should not withdraw the licence; and
- (b) consider any representations made in response to a notice served under paragraph (a) of this subsection.

(4) If the Committee, after considering any representations made in response to a notice served under subsection (3), decides to withdraw a licence, it shall record that decision in writing and serve notice on the holder of the licence stating—

- (a) the fact of, and the reasons for, the decision; and
- (b) the time within which he may appeal to the Court under section 15 of this Law.

Appeals
under
Part II.

15. (1) A person aggrieved by a decision of the Committee—

- (a) to refuse to grant a licence; or
 - (b) to grant a licence subject to any condition; or
 - (c) to withdraw a licence,
- may appeal therefrom to the Court.

(2) An appeal under this section shall be instituted—

- (a) within 21 days of the date of service of the notice under section 13 or section 14(4), as the case may be; and
- (b) by a summons served on the Chairman of the Committee, setting out the grounds and the material facts on which the appellant relies.

(3) If an appeal is instituted in accordance with subsection (2) against a decision to withdraw a licence, that decision shall not be of any effect until the appeal is finally determined or withdrawn; and for the purposes of this subsection an appeal shall be deemed not to have been finally determined until the expiration of the time allowed for the institution of any appeal under section 2 of the Court of Alderney (Appeals) Law, 1969(a) or until the determination by the Royal Court of any appeal instituted within that time, whichever is the later.

(a) Ordres en Conseil Vol. XXII, p. 192.

16. This Part of this Law does not apply to the occupation of a home by any person who— Exemption
from Part II.

(a) was occupying a dwelling in Alderney on 28th November, 1985; or

(b) is occupying that home on the date when this Law comes into force and continues to occupy that home in the same circumstances.

PART III

GENERAL AND SUPPLEMENTARY

17. (1) If any person—

Offences
and
penalties.

(a) carries on a home in contravention of section 1; or

(b) receives into a home persons, or persons of any description, in excess of the number limited by the Committee in respect of that home pursuant to any Ordinance such as is mentioned in section 8(2)(b); or

(c) occupies, or permits another person to occupy, a home in contravention of section 9,

he shall be guilty of an offence and liable—

(i) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding £500 or to both; or

(ii) on conviction on indictment before the Royal Court, to imprisonment for a term not exceeding two years or to a fine or to both.

(2) If any person, in connection with an application for the registration of a home, or for a licence, furnishes information or makes a statement which he knows to be false or misleading in a material particular or recklessly furnishes information or makes a statement which is false in a material particular he shall be guilty of an offence and liable, on conviction, to a fine not exceeding £500.

(3) If any person—

- (a) knowingly fails to produce or furnish any information which he is required to produce or furnish under this Law or any Ordinance or order made under this Law; or
- (b) knowingly obstructs a person acting pursuant to a power conferred by or under section 7,

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding £200.

(4) If the certificate of registration issued in respect of a home is not kept affixed in a conspicuous place in that home the person carrying on the home shall be guilty of an offence and liable, on conviction, to a fine not exceeding £200 and to a further fine not exceeding £10 for each day on which the offence continues after conviction therefor.

(5) If any person contravenes, attempts to contravene, or fails to comply with, an Ordinance made under section 8, or an order made or direction given under such an Ordinance, he shall, unless the Ordinance otherwise provides, be guilty of an offence and liable, on conviction, to a penalty not exceeding such fine or such term of imprisonment as may be specified in respect of that offence by that Ordinance.

18. (1) Where an offence under this Law committed by a 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, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and liable to be proceeded against and punished accordingly.

Offences by
bodies
corporate.

(2) For the purposes of subsection (1), a person shall be deemed to be a director of a body corporate if he is a person in accordance with whose directions or instructions the directors of the body corporate or any of them act.

19. (1) Any notice, certificate or other document authorised or required to be served or issued for the purposes of this Law shall be in writing and in such form as the Committee may, from time to time, resolve.

Form and
service of
notices etc.

(2) A notice to be served under this Law shall, without prejudice to any other lawful method of service, be validly served—

- (a) on any person if delivered to him, left, or sent by registered post or by recorded delivery service to him, at his usual or last known place of abode;
- (b) on a firm, if delivered to any partner of the firm, or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;
- (c) on a body corporate, if left at or sent by registered post or by recorded delivery ser-

vice to, its registered office if situate in Alderney or, if its registered office is not so situate, its principal or last known principal place of business in Alderney.

**Develop-
ment of
nursing and
residential
homes.**

20. It is hereby declared—

- (a) that a Resolution of the States under section 14(1) of the Law of 1975 does not apply to the construction of a nursing home or a residential home; and
- (b) that for the purposes of the definition of “development” in section 34(1) of the Law of 1975 the use as a private dwelling of any building previously used as a nursing home or as a residential home constitutes a material change in the use of that building.

**Interpreta-
tion.**

21. (1) In this Law, unless the context otherwise requires,—

“Assistant Medical Officer of Health” means the person for the time being appointed by the States of Guernsey Board of Health to act as the Assistant Medical Officer of Health in Alderney;

“authorised medical practitioner” means a person practising in Alderney as a medical practitioner approved by the Committee for the purposes of this Law;

“authorised midwife” means a person entitled to practise in Alderney as a midwife according to the law for the time being in force;

“authorised nurse” means a person entitled to practice in Alderney as a nurse according to the law for the time being in force;

"the Committee" means the States Health and Welfare Committee;

"the Court" means the Court of Alderney;

"home" means a nursing home or a residential home;

"the Law of 1975" means the Building and Development Control (Alderney) Law, 1975(a);

"maternity home" means any premises used or intended to be used for the reception of pregnant women, or of women immediately after child-birth;

"nursing home" means any premises used or intended to be used for the reception of, and the provision of nursing for, persons suffering from any sickness, injury or infirmity, and in Part I (but not in Part II) includes a maternity home, but does not include any hospital maintained in whole or in part by the States or the States of Guernsey;

"patient", in relation to a nursing home, means a person who is sick, insured or infirm and who occupies the home wholly or mainly so as to benefit from the nursing provided at the home;

"the register" means the register of homes compiled under section 1(5), and "registered" and "registration" shall be construed accordingly;

"resident", in relation to a residential home, means a person who—

(a) Ordres en Conseil Vol. XXV, p. 8; Vol. XXVI, p. 560; Nos. II and III of 1985; No. III of 1987.

- (a) is blind, deaf or dumb, or is substantially and permanently handicapped by illness, injury or congenital deformity, or is aged; and
- (b) occupies the home wholly or mainly so as to benefit from the services or facilities provided by the home for such persons;

“residential home” means any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for—

- (a) persons who are blind, deaf or dumb or other persons who are substantially and permanently handicapped by illness, injury or congenital deformity; or
- (b) the aged; or
- (c) both,

but does not include—

- (i) any hospital maintained in whole or in part by the States or the States of Guernsey; or
- (ii) any nursing home;

“Royal Court”, except in section 17, means the Royal Court of Guernsey sitting as an Ordinary Court; and in section 17 “Royal Court” means the Royal Court of Guernsey sitting as a Full Court;

“the States” means the States of Alderney;

“student midwife” means a person who is undergoing training with a view to becoming registered as qualified to practice as a midwife in

the United Kingdom, and for that purpose attending women in childbirth, as part of a course of practical instruction in midwifery recognised by the National Board for Nursing, Midwifery and Health Visiting for England, for Wales, for Scotland or for Northern Ireland, constituted under section 5 of the Nurses, Midwives and Health Visitors Act 1979.

(2) Unless the context otherwise requires—

- (a) a reference in this Law to a numbered Part or section is a reference to the Part or section so numbered in this Law;
- (b) a reference in any provision of this Law to a numbered subsection is a reference to the subsection so numbered in that provision;
- (c) a reference in this Law to another enactment is a reference to that enactment as from time to time amended, repealed and replaced, extended or applied by or under any other enactment.

(3) The Interpretation (Guernsey) Law, 1948(a) applies to the interpretation of this Law as it applies to the interpretation of an enactment in force in the Island of Guernsey.

22. (1) The enactments specified in Schedule 1 to this Law are amended as set out in that Schedule. Amend-
ments and
repeals,

(2) The enactments specified in the left hand column of Schedule 2 to this Law are repealed to the extent specified in the right hand column of that Schedule.

(a) Ordres en Conseil Vol. XIII, p. 355.

Citation. 23. This Law may be cited as the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987.

Commence-
ment. 24. This Law shall come into force on such day as the States of Alderney may by Ordinance appoint, and different days may be so appointed for different provisions of this Law and for different purposes.

SCHEDULE 1 Section 22(1)

ENACTMENTS AMENDED

The Tourist (Alderney) Law, 1956

1. In section 2(2)(c) of the Tourist (Alderney) Law, 1956, as amended(a), for "or of persons under their care as patients of such persons" there is substituted "; or persons accommodated as patients in a nursing home or as residents in a residential home within the meaning of the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987".

The Building and Development Control (Alderney) Law, 1975

2. For section 14(3) of the Building and Development Control (Alderney) Law, 1975, as amended(b), there is substituted—

"(3) A Resolution under subsection (1) of this section shall not apply as respects—

- (a) a nursing home or a residential home within the meaning of the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987; or
- (b) any building which is designated as "self-catering tourist accommodation" pursuant to sub-section 13A of this Law."

3. For section 34(3) of the said Law of 1975(c) there is substituted—

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- (a) Ordres en Conseil Vol. XVII, p. 29; Vol. XXII, p. 6; Vol. XXVI, p. 251: section 2(2)(c) was substituted by the Tourist (Amendment) (Alderney) Law, 1978 (Vol. XXII, p. 6).
 - (b) Section 14(3) was inserted by the Building and Development Control (Amendment) (Alderney) Law, 1986 (Ordre en Conseil No. III of 1987).
 - (c) Section 34(3) was inserted by the Building and Development Control (Amendment) (Alderney) Law, 1985 (Ordre en Conseil No. II of 1985).

“(3) It is hereby declared for the avoidance of doubt that for the purposes of the definition of the expression “development” in subsection (1) of this section—

- (a) the use as two or more separate dwellings of any building previously used as a single dwelling; or
- (b) the use as a private dwelling of any building previously used as a nursing home or as a residential home within the meaning of the Nursing and Residential Homes (Registration and Occupation) (Alderney) Law, 1987; or
- (c) the use as a private dwelling of any building designated as “self-catering tourist accommodation” pursuant to sub-section (1) of section 13A of this Law,

involves a material change in the use of that building and of each part thereof which is so used.”.

SCHEDULE 2 Section 22(2)

CONSEQUENTIAL REPEALS

Enactment	Extent of repeal
The Building and Development Control (Amendment) (Alderney) Law, 1985(a).	The whole Law.
The Building and Development Control (Amendment) (No. 2) (Alderney) Law, 1985(b).	Section 4(3).
The Building and Development Control (Amendment) (Alderney) Law, 1986(c).	Paragraphs (b) and (d) of section 1.

D. R. DOREY,
Her Majesty's Deputy Greffier.

(a) Ordre en Conseil No. II of 1985.
(b) Ordre en Conseil No. III of 1985.
(c) Ordre en Conseil No. III of 1987.