

# ORDER IN COUNCIL

XVI

1947

Sanctioning a Projet de-Loi entitled

**“ Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances ”.**

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(Registered on the Records of the Island of Guernsey  
the 19th July, 1947).



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1947

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 19th July, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Knight, James Frederick Carey, Arthur Falla, Pierre de Putron, Quertier Le Pelley, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., and Walter John Gavey, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated June 11th, 1947, ratifying a *Projet de Loi* entitled "Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances," the Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur, ordered that the said Order in Council be registered on the Records of this Island, of which Order in Council the tenor followeth :—

## At the Court at Buckingham Palace

The 11th day of ~~July~~, 1947.

~~June~~  
Present,

## The King's Most Excellent Majesty.

LORD PRESIDENT

LORD AMMON

LORD MACDERMOTT

MR. ISAACS

MR. GRIFFITHS

19th JULY 1947.

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 10th day of June, 1947, in the words following, viz :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, for the reasons set forth in the preamble thereto, the Royal Court, at a sitting held on the 30th day of November, 1946, adopted a Bill or “ *Projet de Loi* ” entitled “ Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances,” and requested the Bailiff to submit the same to the States for approval : 2.—That the said Bill or “ *Projet de Loi* ” was duly considered by the States at a sitting held on the 27th day of December, 1946, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : 3.—That the said Bill or “ *Projet de Loi* ” is in the words and figures 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* ” entitled “ Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances ” and to order and direct that the same shall have force of Law in this Island and in the Island of Herm.’

“ THE LORDS OF THE COMMITTEE, in obedience

to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi 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."

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey and Herm.

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

*E. C. E. Leadbitter.*

Projet de Loi referred to in the foregoing  
Order in Council

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## PROJET DE LOI

ENTITLED

**“Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances”.**

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WHEREAS, in pursuance of an agreement between His Majesty's Treasury and the States Board of Administration, the States of Deliberation, at a meeting held on the twenty-sixth day of July, Nineteen hundred and forty-six, resolved as follows :—

“ To purchase the Island of Herm from His Majesty's Treasury, subject to the condition that the Island be not disposed of as a whole by sale or lease without the approval of His Majesty, for the sum of Fifteen thousand pounds and to assume responsibility for the payment of the ‘rentes’ due on that Island. . . . . ”;

WHEREAS the conveyance of the Island of Herm from His Majesty's Treasury to the States of Guernsey was duly completed and registered at the Greffe of this Island the seventeenth day of December nineteen hundred and forty-six and is hereby confirmed ;

WHEREAS it is desirable to implement, by legislation, the condition referred to in the above resolution, and to make provision for the application to the Island of Herm of certain Laws and Ordinances hitherto not applicable to that Island ;

THE STATES have adopted the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of Law in this Island and in the Island of Herm :—

1.—No right, title or interest shall pass upon the letting or the sale of, or otherwise upon the transfer or conveyance of any interest in, the Island of Herm as a whole unless the approval of His Majesty of such letting, sale, transfer or conveyance, as the case may be, has first been obtained.

2.—The Royal Court of Guernsey, sitting as the Court of Chief Pleas, may by Ordinance extend to the Island of Herm, with such exceptions, modifications and adaptations, if any, as may be specified in the Ordinance, the provisions of any Law or Ordinance in force in the Island of Guernsey ; provided that every such Ordinance shall be laid before the States of Deliberation as soon as may be after the making thereof and if the States, upon consideration of the matter, resolve that that Ordinance should not be applied to the Island of Herm or should be so applied only until such time as is specified in their resolution, then the Royal Court of Guernsey shall revoke or amend that Ordinance in accordance with the terms of such resolution.

3.—This Law may be cited as The Island of Herm Law, (1946). Short Title.

PETER J. MAUGER,  
H.M. Greffier.