

ORDER IN COUNCIL

XXX

1997

ratifying a Projet de Loi

ENTITLED

The Terrace Trust (Dissolution) (Alderney) Law, 1997

(Registered on the Records of the Island of Guernsey
on the 19th January, 1998.)



1997

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 19th day of January, 1998 before Sir Graham Dorey, Bailiff;
present:- Stanley Walter John Jehan, Leonard Arthur Moss, Charles
Anthony Spensley, Lawrence Oscar Ozanne, David Charles Lowe,
Esquires, Mrs. Eileen May Glass, Laurence Lenfestey Guille,
Stephen Edward Francis Le Poidevin, Alan Cecil Bisson and David
Michael Jory, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 26th November, 1997, approving and ratifying a *Projet de Loi* entitled "The Terrace Trust (Dissolution) (Alderney) 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 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 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 17th day of November 1997 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 Jon Kay-Mouat, Esquire, President of the States of Alderney, setting forth:-

"That at a meeting of the States of Alderney held on the 1st day of October 1997, the States adopted a Resolution that a *Projet de Loi* entitled "The Terrace Trust (Dissolution) (Alderney) Law, 1997" 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 Terrace Trust (Dissolution) (Alderney) Law, 1997" and 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 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 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.

N. H. Nicholls

The Terrace Trust (Dissolution) (Alderney) Law, 1997

THE STATES, in pursuance of their Resolution of the 2nd July, 1997, 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.

Dissolution of Terrace Trust.

1. On the date of the commencement of this Law-

- (a) the Terrace Trust shall be dissolved;
- (b) the trust property shall vest in the States of Alderney; and
- (c) the trustees shall be absolved from all obligations and liabilities in respect of the Trust or the trust property (other than any obligation or liability subsisting at the date of the commencement of this Law).

Interpretation.

2. In this Law-

- (a) "**the Terrace Trust**" means the trust known by that name, created in or about 1857 by Frederic Henri Le Mesurier, in a document or documents which have since been destroyed or lost, for the purpose of managing and maintaining, for the public enjoyment and use, an area of land situated in the Valley in the Island of Alderney, known as the Terrace and

consisting of parcel 172 in section 4 of the Alderney Land Register;

- (b) **"the trustees"** means the trustees of the Terrace Trust appointed by indenture of the 21st July, 1950, that is to say, the Vicar of Saint Anne's in the Island of Alderney, the Chairman of the Court of Alderney and the Clerk of the Court of Alderney, in each case ex officio;
- (c) **"the trust property"** means-
 - (i) the area of land described in paragraph (a); and
 - (ii) all money (whether capital or income) held by the trustees on the trusts imposed by the Terrace Trust; and
 - (iii) all other property so held.

Citation.

3. This Law may be cited as the Terrace Trust (Dissolution) (Alderney) Law, 1997.