

ORDER IN COUNCIL

II

ratifying a Projet de Loi

1964

ENTITLED

The Hawkers (Amendment) (Alderney) Law, 1963

(Registered on the Records of the Island of Guernsey
on the 28th day of January, 1964.)



1964.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 28th day of January, 1964, before Sir William Arnold, Kt., C.B.E., C. St. J., Bailiff; present :—
Théophile Le Messurier Allez, Claude Fortescue Nason, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, and William Burton Fox, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 20th day of December, 1963, ratifying a *Projet de Loi* of the States of Alderney entitled "The Hawkers (Amendment) (Alderney) Law, 1963", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island and 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 20th day of December, 1963.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

SIR EDWARD BOYLE

SIR KEITH JOSEPH

MR. RIPPON

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 December, 1963, 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 Sydney Peck Herivel, Esquire, President of the States of the Island of Alderney, setting forth:

‘That at a meeting of the States of Alderney held on the twelfth day of November, 1963, the States adopted a Resolution that a *Projet de Loi* entitled “The Hawkers (Amendment) (Alderney) Law, 1963” 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 set forth in the words and figures of the Schedule annexed hereunto; And most humbly praying that Your Majesty

might be graciously pleased to grant Your Royal Sanction to the Projet de Loi entitled "The Hawkers (Amendment) (Alderney) Law, 1963" and order that the same shall have the 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, as 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.

W. G. AGNEW.

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

PROJET DE LOI

ENTITLED

The Hawkers (Amendment) (Alderney) Law, 1963.

THE STATES, in pursuance of their Resolution of the twenty-third day of April, nineteen hundred and sixty-three, 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.

1. The Law entitled "Loi relative au Colportage" registered on the Records of the Island of Guernsey on the twenty-first day of August, nineteen hundred and thirty (hereafter in this Law referred to as "the principal Law"), is hereby amended as follows, that is to say:—

Amendment
of Law
of 1930.

- (a) in Article III thereof, the words, figures and abbreviations from and including the words "Le postulant" to the end of that Article are hereby repealed;
- (b) in Article IV thereof—
 - (i) the words "Deux Livres dix chelins", where those words firstly occur, are hereby repealed and the words "Vingt Livres" are hereby substituted therefor;
 - (ii) the words "Deux Livres dix chelins", where those words secondly occur, are hereby repealed and the words "Cinquante Livres" are hereby substituted therefor;

(c) in Article VII thereof—

- (i) the figure “10” is hereby repealed and the figure “25” is hereby substituted therefor;
- (ii) the words from and including the words “Les amendes” to the end of that Article are hereby repealed.

Formalities
prior to
making an
application
for a licence
under the
Law of 1930.

2.—(1) A person who intends to make an application for a licence under the principal Law shall—

- (a) at least fourteen days before the day on which he intends to make his application, send or deliver to the Clerk of the Court of Alderney (hereafter in this section referred to as “the Clerk of the Court”) a notice in writing which shall specify—
 - (i) the class of licence for which he intends to apply; and
 - (ii) the kind of goods which he intends to sell or offer for sale or in respect of which he intends to solicit orders, as the case may be; and
 - (iii) where he intends to apply for a licence of the third class as described in Article IV of the principal Law, the premises in which he intends to sell such goods or offer such goods for sale or solicit orders for such goods, as the case may be;
- (b) prior to the day on which he intends to make his application—
 - (i) pay to the Clerk of the Court a fee of ten shillings in respect of his application; and

- (ii) pay to the Treasurer of the States of Alderney the sum specified in Article IV of the principal Law, as amended by this Law, in relation to the class of licence for which he intends to apply.

(2) Where a person has applied for a licence under the principal Law and the Court of Alderney has refused to grant such licence, the Treasurer of the States of Alderney shall repay to that person any sum paid by him in accordance with the provisions of subparagraph (ii) of paragraph (b) of subsection (1) of this section.

(3) Where the Clerk of the Court has received a notice sent or delivered to him in accordance with the provisions of subsection (1) of this section, the Clerk of the Court shall as soon as may be cause copies of the notice to be affixed on the noticeboard outside the Court House and on the noticeboard at the gate of the Parish Church until the day on which the application to which such notice relates is intended to be made.

3. The Court of Alderney shall not dispose of any application for a licence under the principal Law unless the provisions of subsection (1) and subsection (3) of the last preceding section have been complied with and unless any person wishing to oppose the application has been given the opportunity of being heard by the Court.

Court not to dispose of application unless formalities have been complied with.

4. The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Law and of the principal Law as it applies to the interpretation of an enactment in force in the Island of Guernsey.

Interpretation.

5. The provisions of this Law shall not apply in relation to any licence under the principal Law in

Saving.

force immediately before the commencement of this Law.

Citation and
commence-
ment.

6.—(1) This Law may be cited as the Hawkers (Amendment) (Alderney) Law, 1963, and this Law and the principal Law may be cited together as the Hawkers (Alderney) Laws, 1930 and 1963.

(2) This Law shall come into force on the first day of the month next following that in which it is registered on the Records of the Island of Guernsey.

R. H. VIDELO,

Her Majesty's Greffier.