

ORDER IN COUNCIL

**XIII
2015**

ratifying a Projet de Loi

ENTITLED

The Retrait Lignager (Abolition) (Alderney) Law, 2015

(Registered on the Records of the Island of Guernsey
on the 9th November, 2015.)



2015

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 9th day of November, 2015 before Sir Richard Collas, Bailiff, present:- Susan Mowbray, Barbara Jean Bartie, Stephen Murray Jones, Constance Helyar-Wilkinson, Claire Helen Le Pelley, David Percy Langley Hodgetts LVO, Niall David McCathie, Esquires, Margaret Ann Spaargaren, Terry John Ferbrache, David Grut, Steven Morris, David Mortimer, Peter Girard, Jurats.

The Bailiff, having this day placed before the Court an Order of Her Majesty in Council dated 8th October 2015 approving and ratifying a Projet de Loi of the States of Alderney entitled “The Retrait Lignager (Abolition) Alderney) Law, 2015”, 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 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 be sent by Her Majesty’s Greffier to the The Greffier of the Court of Alderney for registration on the records of that Island.

J TORODE
Her Majesty’s Greffier



At the Court at Buckingham Palace

THE 8th DAY OF OCTOBER 2015

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 22nd February 1952 the Committee have considered a Petition of the States of Alderney:

“That, at a meeting of the States of Alderney on 17th June 2015 the States approved a *Projet de Loi* entitled the *Retrait Lignager (Abolition) (Alderney) Law, 2015* and requested the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. 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 *Retrait Lignager (Abolition) (Alderney) Law, 2015* and to order that it shall have force of law in the Island of Alderney.

“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 Alderney; 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.

Richard Tilbrook

PROJET DE LOI

ENTITLED

The Retrait Lignager (Abolition) (Alderney) Law, 2015

THE STATES OF ALDERNEY, in pursuance of their Resolution of the 17th June, 2015, 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.

Abolition of right of retrait lignager.

1. (1) Subject to subsection (3), the right of redemption of real property ("droit de retrait lignager") is abolished.

(2) The following enactments are repealed –

- (a) the Law entitled "Loi relative au Retrait Lignager, aux Appropriements, et à la Lecture de Contrats aux Plaids d'Héritage (Auregny)" registered on the 25th January 1949^a, and
- (b) sections 19 and 20 of the Alderney Land and Property, etc., Law, 1949^b.

^a Ordres en Conseil Vol. XIV, p. 16.

^b Ordres en Conseil, Vol. XIV, p. 67, Vol. XIII, p. 416; Vol. XV, p. 271; Vol. XVI, p. 202; Vol. XXVIII, p. 576; Vol. XXIX, p. 156; Vol. XXXI, p. 306; Vol. XXXV(1), p. 171; No. VI of 2003.

(3) Nothing in this Law shall affect any proceedings en retraits lignagers instituted before the commencement of this Law.

Interpretation.

2. (1) In this Law -

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Law.

(3) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

3. This Law may be cited as the Retrait Lignager (Abolition) (Alderney) Law, 2015.

Commencement.

4. This Law shall come into force on the date of its registration on the records of the Island of Alderney.

^c Ordres en Conseil Vol. XIII, p. 355.

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