

ORDER IN COUNCIL

**XIV
2010**

ratifying a Projet de Loi

ENTITLED

The Reform (Sark) (Amendment) Law, 2010

(Registered on the Records of the Island of Guernsey
on the 5th August, 2010.)



2010

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

5th day of August, 2010 before Sir Geoffrey Rowland, Bailiff; present:- Stephen Edward Francis Le Poidevin, David Osmond Le Conte, John Ferguson, Stephen Murray Jones, Peter Sean Trueman Girard, Niall David McCathie, Esquires, and Margaret Ann Spaargaren, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 21st July, 2010, approving and ratifying a Projet de Loi entitled “The Reform (Sark) (Amendment) Law, 2010”, THE COURT, after the reading of the said Order in Council and after having heard Crown Advocate Robert Titterington, Contrôle Délégué 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 Sénéchal of Sark for registration on the records of that Island.



At the Court at Buckingham Palace

THE 21st DAY OF JULY 2010

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 22 February 1952 the Committee have considered a Petition of the Chief Pleas of the Island of Sark:

"That, in pursuance of their Resolution of 20th January 2010, the Chief Pleas of the Island of Sark at a meeting on 20th January 2010 approved a *Projet de Loi* entitled the Reform (Sark) (Amendment) Law, 2010. 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 Reform (Sark) (Amendment) Law, 2010, and to order that it shall have force of law in the Island of Sark.

"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 Sark 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.

Judith Simpson

PROJET DE LOI

ENTITLED

The Reform (Sark) (Amendment) Law, 2010

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 20th January, 2010, 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 Sark.

Amendments to 2008 Law.

1. The Reform (Sark) Law, 2008, as amended^a, is further amended as follows –

- (a) in section 22(5), immediately after the words "in and in connection with the Chief Pleas" insert "(including, for the avoidance of doubt and without limitation, his powers of appointment under this Law)",
- (b) in section 28(4)(c), for "12" substitute "24", and
- (c) section 28(5) is repealed.

Amendment to 2008 Ordinance.

2. Section 13 of the Reform (Elections of Conseillers) (General

^a Order in Council No. V of 2008; Nos. VI and XXVII of 2008.

Provisions) (Sark) Ordinance, 2008^b is amended as follows -

- (a) in subsection (1), after the words "a recount", insert
"of the votes cast for any such successful candidate,
and of those cast for any such unsuccessful
candidate,"
- (b) after subsection (1), insert the following additional
subsection -

" (1A) Any candidate may apply to the
returning officer, within 24 hours of the publication of
the result of the count, for a recount of all the votes
cast in the election and, in the event that the returning
officer declines such a request, such candidate may,
within 24 hours of the notification of the returning
officer's decision, make further application in that
regard to the Court of the Seneschal, which may grant
or dismiss his application; and the decision of the
Court shall be final.",
- (c) in subsection (3), for "on completion of the recount",
substitute "on completion of a recount" and
- (d) in subsection (4), for "the recount", substitute "the
final recount permitted by this section".

^b Ordinance No. 168.

Interpretation.

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

(2) 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.

4. This Law may be cited as the Reform (Sark) (Amendment) Law, 2010.

Commencement.

5. This Law shall come into force on the day that it is registered on the Records of the Island of Sark.

K.H. TOUGH,
Her Majesty's Greffier.

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

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