

ORDER IN COUNCIL

**XVIII
1970**

ratifying a Projet de Loi

ENTITLED

The Island Development (Amendment) (Guernsey) Law, 1970

(Registered on the Records of the Island of Guernsey
on the 2nd February, 1971.)



ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 2nd day of February, 1971, before Sir William Arnold, Kt., C.B.E., Bailiff; present :—Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Albert Victor Dorey, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Jean Le Pelley, Walter Francis Robin and Richard Alan Kinnersly, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 17th day of December, 1970, ratifying a *Projet de Loi* entitled "The Island Development (Amendment) (Guernsey) Law, 1970", 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, of which Order in Council the tenor followeth :—

At the Court at Buckingham Palace

The 17th day of December 1970

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT

MRS. SECRETARY THATCHER

MR. SECRETARY THOMAS

MR. SECRETARY CARR

MR. AMERY

MR. CHATAWAY

MR. ENNALS

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 14th day of December 1970, 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 the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 30th day of July 1969, the States of Deliberation at a meeting held on the 29th day of July 1970 approved a Bill or “Projet de Loi” entitled “The Island Development (Amendment) (Guernsey) Law, 1970” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. 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" of the States of Guernsey entitled "The Island Development (Amendment) (Guernsey) Law, 1970" and to order that the same shall have force of law in the Island of Guernsey.

"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."

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 Guernsey.

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 in the said Island, 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 Island Development (Amendment) (Guernsey) Law, 1970

THE STATES, in pursuance of their Resolution of the thirtieth day of July, nineteen hundred and sixty-nine, 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 Guernsey.

1. The Island Development (Guernsey) Law, 1966^(a) (hereinafter referred to as "the principal Law") is hereby amended as follows:—

Amend-
ments to
Law of 1966.

(a) subsection (2) of section fourteen thereof is repealed and the following subsection is substituted therefor:—

" (2) A person shall not require permission in pursuance of the provisions of this Part of this Law to place, erect or re-erect on any site—

(a) any movable structure other than a caravan, or

(b) any immovable structure,

which cannot be seen from any public or other place to which the public has access and of which the cubic capacity does not exceed four hundred cubic feet.";

(a) Ordres en Conseil Vol. XX, p. 276.

- (b) section twenty-two thereof is repealed and the following section is substituted therefor:—

“ 22. A person shall not, without the permission of the Committee in that behalf, lop or fell any tree on any land in relation to which a preliminary declaration has been issued in pursuance of the provisions of section twenty-seven of this Law in respect of any development or other work referred to in section fourteen of this Law or in relation to which permission has been granted in pursuance of the provisions of section sixteen of this Law to carry out any such development or other work.”;

- (c) in section forty thereof—

- (i) immediately after the definition of the expression “appointed day” there is inserted the following definition:—

“ “caravan” means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include a marquee or a tent;”.

- (ii) immediately after the definition of the expression “immovable structure” there is inserted the following definition:—

“ “ motor vehicle ” means a mechanically propelled vehicle intended or adapted for use on a public highway;”,

(iii) in the definition of the expression “ movable structure ” immediately after the word “ means ” there are inserted the words “ a caravan and ”,

(iv) the full stop at the end of the definition of the expression “ owner ” is deleted and a semi-colon is substituted therefor and immediately thereafter there is inserted the following definition:—

“ “ public highway ” includes any road, street, lane or public place.”.

2. (1) This Law may be cited as the **Island Development (Amendment) (Guernsey) Law, 1970.** Citation and collective title.

(2) This Law and the principal Law may be cited together as the **Island Development (Guernsey) Laws, 1966 and 1970.**

R. H. VIDELO,

Her Majesty's Greffier.