
(Registered on the Records on the 23rd June, 1956.)

AT THE COURT AT BUCKINGHAM PALACE.

The 1st day of June, 1956.

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT

EARL OF MUNSTER

MR. SECRETARY LENNOX-BOYD

MR. THORNEYCROFT

SIR MICHAEL ADEANE

MR. MOLSON.

Building
(Guernsey)
Law, 1956.

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 24th day of May, 1956, in the words following, viz.:—

1956

"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 19th day of September, 1951, the States of Deliberation at a meeting held on the 28th day of March, 1956, approved a Bill or "Projet de Loi" entitled "The Building (Guernsey) Law, 1956" 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 Building (Guernsey) Law, 1956," and to order that the same shall have the force of Law in the Islands of Guernsey, Herm and Jethou.'

"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 Islands of Guernsey, Herm and Jethou.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy

1956

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 BUILDING (GUERNSEY) LAW, 1956.

THE STATES, in pursuance of their Resolution of the 19th day of September, 1951, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

Regulations.

1. (1) The ~~States Housing Authority~~ (hereinafter referred to as "the ~~Authority~~") may, from time to time, make such regulations as they may deem necessary or expedient with regard to all or any of the following matters—

- (a) the construction, re-construction, structural alteration, repair or maintenance of dwelling houses or other buildings and the materials to be used therein;
- (b) the layout, construction, re-construction, repair or maintenance of service roads;
- (c) the planning and development of sites for dwelling houses or other buildings;

1956

- (d) the alterations or additions to any dwelling house or other building, necessary to ensure the structural stability, safety or the adequacy of the sanitation or ventilation thereof, occasioned by any material change of the use to which such house or other building is being put;
- (e) any matter ancillary to the matters set out in paragraphs (a) to (d), inclusive, of this subsection.

(2) Any regulation made under the provisions of the last preceding subsection may exempt either in whole or in part any class or description of dwelling house or other building or any material to be used therein from the necessity of complying with the requirements of such regulation.

(3) For the purposes of this section the following expressions shall, except where the context otherwise requires, have the meanings hereby respectively assigned to them—

“building” includes any well, cistern, cesspit, cellar or other excavation below surface level whether containing structure or not, and also any wall or permanent hoarding;

“service road” means any road, path or way not maintained at public expense which is laid out or constructed for the purpose of giving access or improved access to two or more dwelling houses.

2. (1) Every regulation made by the ~~Authority~~ hereunder shall be laid before a Meeting of the States and at that Meeting or at the next subsequent Meeting the States may resolve that the regulation be annulled but without prejudice to the making by the ~~Authority~~ of any new regulation.

Regulations
to be laid
before States.

(2) A regulation which is not annulled under the provisions of the last preceding subsection shall come into force, unless expressed so to do at a later date,

1956 on the day next following that subsequent Meeting of the States.

Inspection.

3. (1) Any person authorised in that behalf by the ~~Authority~~ may enter upon and inspect any land at all reasonable times for the purposes of ensuring that any regulation made hereunder is being or has been complied with.

(2) Any person entering on land under the provisions of this section shall, if so required, produce to the occupier thereof or to any person authorised by the occupier to require such production, a written authorisation under this section signed by the President of the ~~Authority~~.

(3) Any person who wilfully obstructs or attempts to obstruct any person duly authorised under this section in the execution of his duties, shall be guilty of an offence and liable on conviction for a first offence to a fine not exceeding ten pounds, and for any second or subsequent offence to a fine not exceeding fifty pounds.

Work done in contravention of regulations.

4. (1) The President of the ~~Authority~~ may, if he has reason to believe that any work is being or has been done in contravention of any regulation made hereunder, serve an order on the person to whom a licence to do the work in question has been granted (hereinafter referred to as "the licensee") and on the contractor requiring that further work on the premises as he may deem appropriate in the circumstances shall forthwith cease until the work in question has been made to comply with such regulations.

(2) In an order made under the provisions of the last preceding subsection the said President may, in addition, require such steps to be taken as are, in his opinion, necessary to ensure that the work in question does not constitute a danger to persons using the said premises or to persons using a place to which the public have access, and if the licensee fails to take the steps required as soon as may be after being

ordered so to do, the ~~Authority~~ may cause the requirements of the said President to be carried out.

(3) Any expenses incurred under the provisions of the last preceding subsection shall be borne by the licensee unless an order made under subsection (1) of this section is set aside by the Court on an application made under the provisions of the next succeeding subsection, in which case the said expenses shall be borne by the ~~Authority~~.

(4) Any person aggrieved by an order made against him under the provisions of subsection (1) of this section may apply within twenty-one days of the date of the said order to the Royal Court sitting as an Ordinary Court (hereinafter referred to as "the Ordinary Court") to have that order set aside.

(5) Any order which may be served for the purposes of this section shall be validly served—

- (a) on any person, if delivered to him, left, or sent by post addressed to him, at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm, or left at, or sent by post to, the principal or last known place of business of the firm;
- (c) on any body corporate, if left at, or sent by post to, its registered office if situated in this Island or, if its registered office is not so situated, its principal or last known principal place of business in this Island.

(6) For the purposes of this section the expression "contractor" means the person who is responsible to the licensee for the execution of the work in question.

5. Except where otherwise specifically provided, any person who—

Offences and penalties.

- (a) contravenes any of the provisions of any regulation made hereunder shall be guilty of an offence and liable, on conviction, to a fine not exceeding ~~one hundred pounds~~;

1956

- (b) refuses or neglects to comply with the provisions of an order or a requirement of the President of the ~~Authority~~ made hereunder shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten pounds;
- (c) refuses or neglects to supply any information, or who supplies any information which is false in a material particular, which he is required to supply under the provisions of any regulation made hereunder, shall be guilty of an offence and liable, on conviction, to a fine not exceeding ~~fifty~~ pounds.

Alterations
to work
done in con-
travention of
regulations.

6. (1) Where there has been a conviction against any person in respect of any work done in contravention of the provisions of any regulation made hereunder, the ~~Authority~~ may apply to the Ordinary Court to make an order requiring the owner of the premises on which such work was done to effect such alterations to any such work as may be necessary to make it comply with any such regulation.

(2) If a person in respect of whom an order has been made under the provisions of the last preceding subsection fails to comply with the order within such period as the Ordinary Court may direct or such longer period as the Ordinary Court may, on his application, allow, the ~~Authority~~ may apply to the Ordinary Court for permission to enter the premises concerned and there to effect such alterations as may be necessary to give effect to the said order and the Ordinary Court after hearing evidence as to the estimated cost of such alterations, may make such order as to it seems just and the Ordinary Court may, upon application in that behalf by the ~~Authority~~ as soon as may be after the completion of any such alterations order that any expenses reasonably incurred by the ~~Authority~~ in carrying out such alterations shall be recoverable by the ~~Authority~~ as a civil debt.

(3) The Ordinary Court shall not make any order under this section unless the person against whom such order is sought has been served by the ~~Authority~~ with notice of its intention to apply for such order and unless such person has had a reasonable opportunity of being heard thereon.

1956

7. Nothing in this Law contained shall be taken to affect or repeal any Ordinance made under any Law repealed by this Law and every such Ordinance shall continue in force until repealed by an Ordinance made under this section. Saving of Ordinances.

8. The Law entitled "Loi ayant rapport à la Construction de Maisons et Bâtiments et au Tracement des Routes et Chemins" registered on the records of this Island on the 28th day of October, 1922, is hereby repealed. Repeal.
