

ORDER IN COUNCIL

XI
2009

ratifying a Projet de Loi

ENTITLED

The Sark Hall Trust (Dissolution) Law, 2007

(Registered on the Records of the Island of Guernsey
on the 27th April, 2009.)



2009

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

27th day of April, 2009 before Richard John Collas, Esquire, Deputy Bailiff; present:- Derek Martin Le Page, Stephen Edward Francis Le Poidevin, Michael Henry De La Mare, The Reverend Peter Gerald Lane, Esquires, Susan Mowbray, Barbara Jean Bartie, John Ferguson, Stephen Murray Jones Esquires, Claire Helen Le Pelley and Peter Sean Trueman Girard, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 18th March 2009 approving and ratifying a Projet de Loi entitled "The Sark Hall Trust (Dissolution) Law, 2007", THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Procureur 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 18th DAY OF MARCH 2009

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 the 4th October 2006 the Chief Pleas of the Island of Sark at a meeting on 5th July 2007 approved a *Projet de Loi* entitled the Sark Hall Trust (Dissolution) Law, 2007. 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 Sark Hall Trust (Dissolution) Law, 2007, 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 Sark Hall Trust (Dissolution) Law, 2007

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 4th October, 2006, 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.

Dissolution of Sark Hall Trust.

1. On the date of commencement of this Law -
 - (a) the Sark Hall Trust shall be dissolved,
 - (b) the Trust property shall vest in the Island Trustees,
and
 - (c) the Official Trustees shall be absolved from all obligations and liabilities in respect of the Trust or the Trust property (other than any obligation or liability subsisting at the date of the commencement of this Law).

Interpretation.

2. (1) In this Law -

- (a) **“the Sark Hall Trust”** means the Trust known by that name and constituted by the Sark Hall Trust Law, 1960^a,
- (b) **“the Island Trustees”** means the Trustees of Island Properties, namely the Seigneur or the Dame of Sark, as the case may be, the Seneschal, the Prévôt and the Greffier of the Island of Sark, in each case ex officio,
- (c) **“the Official Trustees”** means the trustees of the Sark Hall Trust appointed as such for the purposes of the said Law, namely the Seigneur or the Dame of Sark, as the case may be, the Seneschal and the Prévôt of the Island of Sark , in each case ex officio, and
- (d) **“the Trust property”** means the realty held by the Trustees pursuant to the said Law together with all money (whether capital or income) held by the Official Trustees on the trusts imposed by the Sark Hall Trust and all other property so held.

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

(3) Any reference in this Law to an enactment is a reference

^a Ordres en Conseil, Vol. XVIII, p. 166

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

thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Repeal.

3. The Sark Hall Trust Law, 1960 is hereby repealed.

Citation.

4. This Law may be cited as the Sark Hall Trust (Dissolution) Law, 2007.

S.M. SIMMONDS,
Her Majesty's Deputy Greffier.

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