

(Enregistré sur les Records le 19 Octobre 1935.)

AT THE COURT AT BUCKINGHAM PALACE,  
The 3rd day of October, 1935.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

ARCHBISHOP OF CANTERBURY.

PRIME MINISTER.

LORD CHANCELLOR.

LORD PRESIDENT.

SECRETARY SIR JOHN SIMON.

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 1st day of October, 1935, in the  
words following, viz. :—

Auregny.  
Loi ayant  
rapport à la  
Conservation  
des Falaises  
et des  
Beautés Nat-  
urelles de  
cette Ile.

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“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney setting forth :— ‘ That the Court of Alderney was of opinion that steps should be taken to protect the natural beauties of this Island, and to prevent indiscriminate building being carried out in certain parts of this Island and authorised the Crown Officers to prepare a *Projet de Loi* giving effect to their recommendations to be presented to the States for consideration. That at a Meeting of the States of Alderney holden before the Petitioner on the 5th day of June, 1935, the States took into consideration the *Projet de Loi* intituled “ *Projet de Loi ayant rapport à la conservation des falaises et des beautés naturelles de cette Ile* ”, and were of opinion to approve and adopt the same, and to authorise the Petitioner to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to grant Your Royal Sanction thereto. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the said *Projet*, and to order the same to have force of law in Your Majesty’s said Island of Alderney.’

“ THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition, and the *Projet de Loi* annexed thereto, 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*.”

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His 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 Alderney. 1935

AND HIS 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 or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

PROJET DE LOI referred to in the foregoing Order.

## LOI AYANT RAPPORT À LA CONSERVATION DES FALAISES ET DES BEAUTÉS NATU- RELLES DE CETTE ILE.

### ARTICLE I.

Un Comité (ci-après désigné le Comité) sera nommé par les Etats pour porter à exécution les devoirs imposés par cette Loi qui sont ci-après prescrits.

### ARTICLE II.

Il est défendu sans la permission par écrit du Comité :—de bâtir ou d'ériger édifices ou bâtiments sur les terres ci-devant Communes en cette Ile situées en dedans la zone commençant à la Valette au Fleaume à l'Est et en allant vers le sud et terminant à la Roque Tourgis ; d'ériger aucune barrière sur les falaises de cette Ile en dedans de la dite zone de manière à empêcher accès raisonnable aux piétons.

Défense de  
bâtir, etc.  
sans permis-  
sion.

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## ARTICLE III.

Refus d'oc-  
toyer per-  
mission.

1. Dans le cas où le Comité aurait refusé d'octroyer permission de bâtir sur la terre au dedans de la dite zone, le propriétaire de la terre pourra en appeler à la Cour pourvu que les procédures en appel soient intentées dans les six mois qui suivront le reçu de la notification contenant tel refus.

2. La notification du refus d'accorder permission de bâtir sera envoyée par le Comité au propriétaire de la terre dans les huit jours qui suivront la date de l'assemblée du Comité à laquelle la décision par rapport à tel refus aura été prise.

3. Si nul appel n'est interjeté contre la décision du Comité ou si la décision du Comité est confirmée par la Cour, le propriétaire de la terre pourra dans les six mois qui suivront le reçu de la dite notification ou la date confirmant la décision du Comité, selon le cas, faire une demande aux Etats d'acheter la terre en question.

La dite demande sera accompagnée d'une déclaration signée du propriétaire faisant preuve qu'il possède la terre à juste titre et que les travaux de construction auraient été commencés dans les trois mois de reçu de la dite notification si le Comité ne lui avait pas refusé permission de bâtir.

A défaut d'accord sur le prix, la terre sera alors évaluée, en égard à toutes les circonstances qui pourront affecter sa valeur, par deux arbitres dont l'un sera nommé par le propriétaire de la terre et l'autre par le Comité.

Les arbitres, avant de procéder à la dite évaluation, nommeront un sur-arbitre et la décision des arbitres ou du sur-arbitre, selon le cas, sera finale entre les parties.

Les frais de l'évaluation seront payés moitié par le propriétaire de la terre et moitié par les Etats.

## ARTICLE IV.

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Les maisons, bâtiments ou barrières érigés en Bâtiments, etc. érigés en contravention à cette Loi seront sujets à être démolis par ordre et à la discrétion de la Cour siégeant en corps. contravention à cette Loi.

## ARTICLE V.

Cette Loi ne s'appliquera pas aux édifices appartenant au Gouvernement de Sa Majesté ou aux Etats de cette Ile qui seront par après érigés dans la dite zone. Edifices appartenant au Gouvernement ou aux Etats.

## ARTICLE VI.

La Cour est autorisée à passer toutes ordonnances nécessaires pour régler la procédure à suivre lorsque demande sera faite au Comité pour permission de bâtir sous les dispositions de cette Loi et généralement pour la mise à exécution des dispositions de cette Loi. Ordonnances.

## ARTICLE VII.

Cette Loi viendra en force à partir de l'enregistrement de l'Ordre de Sa Majesté en Conseil y accordant Sa Sanction Royale. Commencement.

## ALDERNEY.

*Translation of " Law relating to the Preservation of the Cliffs and Natural Beauties of the Island," approved by His Majesty in Council, the 3rd day of October, 1935.*

## ARTICLE 1.

A committee (hereinafter described as the Committee) shall be appointed by the States to carry out the duties prescribed by this Law. Committee.

## ARTICLE 2.

It is forbidden without having obtained permission in writing from the Committee :—to build or erect Prohibition of erection without permission.

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any edifice or building on the lands formerly Common in this Island situate within the zone commencing at the Vallette au Fleaume proceeding towards the South and ending at the Roque Tourgis ; to erect any barrier on the cliffs of this Island within the said zone in such a way as to prevent reasonable access to pedestrians.

## ARTICLE 3.

Refusal of  
permission  
to build.

1. In the event of a refusal being given by the Committee to build within the said zone, the proprietor of the land may appeal to the Court providing such appeal is made within six months from the date of the receipt of the notice of such refusal.

2. The notification of a refusal of permission to build shall be sent by the Committee to the owner of the property within eight days of the date of the meeting of the Committee when such resolution was passed.

3. If no appeal is made against the resolution of the Committee or if the resolution is confirmed by the Court, the owner of the property may within six months after the date of the receipt of such notification or the date confirming the decision of the Committee, according to the circumstances, ask the States to purchase the said property.

The said request shall be accompanied by a declaration in writing signed by the owner to the effect that he has a good title to the property and that the work of construction would have been commenced within three months of the date of the receipt of such notification if the Committee had not refused permission to build.

In the event of disagreement as to the price, the land shall be valued, taking into account all the circumstances which might affect its value, by two arbitrators, one of whom shall be appointed by the owner of the land and one by the Committee.

The arbitrators, before proceeding to the said valuation, shall appoint an umpire and the decision of the arbitrators or of the umpire according to the case shall be binding upon the parties. 1935

The cost of the valuation shall be met one half by the owner of the property and one half by the States.

#### ARTICLE 4.

Any house, building or barrier set up in contravention of this Law shall be liable to be demolished by order and at the discretion of the Court sitting as a full Court. Buildings, etc. erected in contravention of this Law.

#### ARTICLE 5.

This Law shall not apply to any buildings belonging to His Majesty's Government or to the States of this Island which may hereafter be erected in the said zone. Buildings belonging to H.M. Government or to the States.

#### ARTICLE 6.

The Court is authorised to pass such Ordinances as may be necessary to regulate the procedure to be followed when a request is made to the Committee for permission to build in accordance with the provisions of this Law and generally for putting the said Law into operation. Ordinances.

#### ARTICLE 7.

This Law shall come into force from the date of the registration of His Majesty's Order in Council ratifying the same. Commencement.

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