

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973

(Registered on the Records of the Island of Guernsey
on the 19th day of April, 1973.)



1973.

III
1973

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of April, 1973, before Sir William Arnold, Kt., C.B.E., Bailiff; present:—Bertram Guy Blampied, Esquire, O.B.E., Claude Fortesque Nason, Esquire, Gilbert Carey de Jersey, Esquire, C.B., Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Richard Alan Kinnersly, Esquires, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Brook Sutcliffe and Richard Oliver Symons, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 16th day of February, 1973, ratifying a *Projet de Loi* of the States of Alderney entitled “The Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973”, 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 and 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 Clerk of the Court of Alderney for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 16th day of February 1973

PRESENT,

The Queen's Most Excellent Majesty in Council

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 23rd day of January 1973, 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 a humble Petition of George William Baron, Esquire, President of the States of Alderney setting forth:

‘That at a meeting of the States of Alderney held on the 15th day of December 1972, the States adopted a Resolution that a Projet de Loi entitled “The Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973” be approved: That at the meeting of the States aforesaid Your Humble Petitioner was authorised to present to Your Majesty in Council a Petition that the said Projet de Loi be sanctioned: And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Projet de Loi entitled “The Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973” and to order that the same shall have the force of law within the 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.”

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 Alderney.

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 of the said Island of Guernsey, and also the Jurats of the said Island of Alderney, 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 Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973

THE STATES, in pursuance of their Resolution of the fifteenth day of December, nineteen hundred and seventy-two, 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 Alderney.

1. Notwithstanding the provisions of the Article entitled "Article Général" in the principal Law, in that Law—

Meaning of
the expres-
sion
"Etranger"
etc. in
the Law
of 1906.

- (a) the expression "Etranger" shall not include a person who is a national of a member State of the European Economic Community for the purposes of the Treaties;
- (b) the expression "Société Etrangère" shall not include a company, partnership, community or corporation which is lawfully incorporated or otherwise created in, and under the law for the time being of, a member State of the European Economic Community.

2.—(1) In this Law the following expressions have the meanings respectively assigned to them, that is to say:—

Interpreta-
tion.

“the principal Law” means the Law entitled “Loi relative à l’acquisition de Propriété Immobilière en cette Ile par des Etrangers ou par des Sociétés Etrangères” registered on the fourteenth day of August, nineteen hundred and six(a);

“the Treaties” has the meaning assigned to it by section one of the European Communities (External Tariffs and Non-Discrimination) (Bailiwick of Guernsey) Law, 1972(b).

(2) Except in so far as the context otherwise requires, any reference in this Law to any other enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

Construction
and citation.

3.—(1) This Law shall be construed as one with the principal Law.

(2) This Law may be cited as the Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Law, 1973, and the principal Law and this Law may be cited together as the Acquisition of Immovable Property by Aliens or Foreign Companies (Alderney) Laws, 1906 and 1973.

R. H. VIDELO,

Her Majesty’s Greffier.

(a) Ordres en Conseil Vol. IV, p. 106.

(b) Ordre en Conseil No. XXX of 1972.