

# ORDER IN COUNCIL

**IX  
2009**

ratifying a Projet de Loi

ENTITLED

## **The Sewerage (Alderney) (Amendment) Law, 2008**

(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

27<sup>th</sup> 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 18<sup>th</sup> March 2009 approving and ratifying a Projet de Loi entitled "The Sewerage (Alderney) (Amendment) Law, 2008", 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 Greffier of the Court of Alderney 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 22nd February 1952 the Committee have considered a Petition of the States of Alderney:

"That, at a meeting of the States of Alderney on 23rd July, 2008, the States approved a Project de Loi entitled the Sewerage (Alderney) (Amendment) Law, 2008 and requested the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. 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 Sewerage (Alderney) (Amendment) Law, 2008 and to order that it shall have force of law in the Island of Alderney.

"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 Alderney; 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 Sewerage (Alderney) (Amendment) Law, 2008**

**THE STATES OF ALDERNEY**, in pursuance of their Resolution of the 23<sup>rd</sup> July, 2008, 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.

### **Amendment of Law of 1970.**

1. (1) In the Sewerage (Alderney) Law, as amended<sup>a</sup> -

(a) for section 3(1), substitute the following -

“ (1) The owner of any building beginning to be served by a public sewer after the commencement of this Law shall pay to the States such sum as the States may from time to time by Ordinance prescribe.”;

(b) for section 3(4), substitute the following -

“ (4) Payments made to the States under this section shall be made when a building, whether existing at the date of commencement of this Law or

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<sup>a</sup> Ordres en Conseil Vol. XXII, p. 577; No. V of 1991; No. XXVII of 2002.

whether constructed after that date, begins to be served by a public sewer.”;

- (c) in section 8, the definitions of “annual rateable value” and “Cadastre” are repealed;
- (d) in section 9, the words “and may, from time to time, vary or revoke any such Ordinance” are repealed; and
- (e) the following additional section is inserted -

**“General provisions relating to Ordinances.**

**10. (1)** An Ordinance under this Law -

- (a) may be amended or repealed by a subsequent Ordinance hereunder, and
- (b) may contain such consequential, incidental, supplementary, savings and transitional provision as may appear to be necessary or expedient, including provision amending any enactment.

(2) Any power conferred by this Law to make an Ordinance may be exercised -

(a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,

(b) so as to make, as respects the cases in relation to which it is exercised -

(i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),

(ii) the same provision for all cases, or different provision for different cases

or classes of cases,  
or different  
provision for the  
same class of case  
for different  
purposes, and/or

- (iii) any such provision  
either  
unconditionally or  
subject to any  
prescribed  
conditions.”.

**Repeal.**

2. The Sewerage (Contributions) (Alderney) Ordinance, 2003<sup>b</sup> is repealed.

**Citation.**

3. This Law may be cited as the Sewerage (Alderney) (Amendment) Law, 2008.

**Commencement.**

4. This Law shall come into force on the date when it is registered on the records of the Island of Alderney.

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<sup>b</sup> Ordinance No. VIII of 2003.



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





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