

ORDER IN COUNCIL

XVI
1987

ratifying a Projet de Loi

ENTITLED

The States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 15th day of December, 1987.)



1987.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 15th day of December, 1987 before Sir Charles Frossard, Kt., Bailiff; present:—Donald Pescott Plummer, Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley and Leonard Arthur Moss, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 21st October 1987, approving and ratifying a *Projet de Loi* entitled "The States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987," THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court of Saint James

The 21st day of October 1987

PRESENT,

The Counsellors of State in Council

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 17th day of September 1987, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND 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 13th day of October 1987 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 the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 30th day of October 1986, the States of Deliberation at a meeting held on the 29th day of April 1987 approved a Bill or “Projet de Loi” entitled “The States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987”, 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 as 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 States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987", and to order that the same shall have force of Law in the Island of Guernsey.'

"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."

NOW, THEREFORE, His Royal Highness The Prince Andrew, Duke of York, and Her Royal Highness The Princess Royal, being authorised thereto by the said Letters Patent, having taken the said Report into consideration, are pleased, by and with the advice of Her Majesty's Privy Council, to approve of and ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND do 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 in the said Island, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

G. I. de Deney.

PROJET DE LOI

ENTITLED

The States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987

THE STATES, in pursuance of their Resolution of the 30th day of October, 1986, 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 Guernsey.

1. In the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the 7th May, 1927, as amended^(a), after article 17 insert—

Amendment
to 1927 Law.

"Register of meter to be evidence of consumption. 18. (1) Where the Board supplies water by measure, the register of the meter is prima facie evidence of the quantity of water supplied.

(2) The owner or occupier of any property to which the Board supplies water by measure may require the Board to test the accuracy of the meter.

(3) If a meter on being tested under subsection (2) is shown to be accurate or to register incorrectly to a degree of 5 per cent or less, the person who required the test to be undertaken shall be liable to pay to the Board the test fee prescribed from time to time by Order of the Board.

(a) Ordres en Conseil Vol. VIII, p. 112; Vol. XV, p. 274; Vol. XXVI, p. 536; and No. VII of 1987.

(4) A test fee under subsection (3) shall be recoverable in the manner in which charges for the supply of water are recoverable.

(5) If a meter on being tested (whether under subsection (2) or otherwise)—

(a) is shown to be accurate or to register incorrectly to a degree of 5 per cent or less, it shall be deemed to have registered correctly;

(b) is shown to register incorrectly to a degree exceeding 5 per cent, it shall be deemed to have registered incorrectly to that degree since the last occasion but one (prior to the test) on which the meter was read for the purposes of preparing an account, unless it is shown to have begun to register incorrectly on a later date; and if the meter has registered—

(i) more than the quantity supplied, a refund shall be paid or allowed by the Board;

(ii) less than the quantity supplied, an extra payment shall be made to the Board, recoverable in the manner in which charges for the supply of water are recoverable.

(6) A person who without reasonable excuse—

- (a) alters the index of a meter used by the Board for measuring the quantity of water supplied to any property;
- (b) prevents any such meter from correctly registering the quantity supplied; or
- (c) connects or disconnects any such meter without the Board's written consent,

is guilty of an offence and liable on summary conviction to a fine not exceeding £500.

(7) The provisions of article 20 of this Law apply to a person convicted of an offence under subsection (6) as they apply to a person mentioned in that article.”.

2. This Law may be cited as the States Water Supply (Amendment) (No. 2) (Guernsey) Law, 1987. Citation.

3. This Law and the States Water Supply Laws, 1927 to 1987, may be cited together as the States Water Supply Laws, 1927 to 1987. Collective title.

K. H. TOUGH,
Her Majesty's Greffier.