

# ORDER IN COUNCIL

**VIII**

**1973**

ratifying a Projet de Loi

ENTITLED

## **The States Water Supply (Amendment) (Alderney) Law, 1973**

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(Registered on the Records of the Island of Guernsey  
on the 24th day of July, 1973.)

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1973.

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 24th day of July, 1973, before John Henry Loveridge, Esquire, C.B.E., Deputy Bailiff; present:—Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., D'Arcy George Le Tissier, Esquire, Edward James Lainé, Esquire, C.B.E., D.F.C., Jean Le Pelley, 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 Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 20th day of June, 1973, ratifying a *Projet de Loi* of the States of Alderney entitled "The States Water Supply (Amendment) (Alderney) Law, 1973", 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 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 Windsor Castle

The 20th day of June 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 14th day of June 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 7th day of March 1973, the States adopted a Resolution that a *Projet de Loi* entitled “The States Water Supply (Amendment) (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: That the said *Projet de Loi* is set forth in the words and figures of the Schedule hereunto annexed: And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the *Projet de Loi* entitled “The States Water Supply (Amendment) (Alderney) Law,

1973" and to order that the same shall have 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 States Water Supply (Amendment) (Alderney) Law, 1973**

THE STATES, in pursuance of their Resolution of the fourteenth day of December, nineteen hundred and seventy-one, 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.

Amend-  
ments to  
Law of  
1954.

1. The Alderney Water Supply Law, 1954, as amended<sup>(a)</sup>, is hereby further amended as follows:—

(a) in section five thereof the words “to a fine not exceeding five pounds” are repealed and the words “to a fine not exceeding twenty-five pounds and to a further fine not exceeding five pounds” are substituted therefor;

(b) section fourteen thereof is repealed and the following section is substituted therefor—

“14.—(1) The Board shall, at the request of the owner or occupier of any property in any street, road or public place in which any water pipe of the Board shall be laid, furnish to such property a sufficient supply of water for domestic use at one or other of the following rates, in the discretion of the Board, that is to say, either—

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(a) Ordres en Conseil Vol. XVI, p. 129 and Vol. XXI, p. 310.

- (a) (i) at such annual rate per centum of the rateable value according to the General Cadastre of the Island of the property supplied as may from time to time be fixed by the States by Ordinance; and
  - (ii) at such annual rate for each ordinary bath fixed in that property as may from time to time be fixed by the States by Ordinance; or
  - (b) by measure at such rate per thousand gallons or per cubic metre as may from time to time be fixed by the States by Ordinance.
- (2) The Board shall supply water for other than domestic purposes, in its discretion, either—
- (a) at such agreed rate and upon such terms and conditions as may be agreed between the Board and the person desirous of having such water supply; or
  - (b) by measure at such rate per thousand gallons or per cubic metre as may from time to time be fixed by the States by Ordinance.
- (3) A charge per quarter for the supply of water by measure for other than domestic purposes shall be payable as follows—
- (a) in respect of glasshouses, such rate as may from time to time be fixed by the States by Ordinance calculated per hundred feet by thirty feet of glasshouse or proportionally thereto; and
  - (b) in respect of premises other than glasshouses, such amount calculated on the basis

of one quarter of the annual rate for the time being fixed by the States under the provisions of subsection (1) of this section for water for domestic uses.

(4) For the purposes of this section the expression "General Cadastre" means the valuation carried out and maintained under the provisions of section four of the Alderney (Application of Legislation) Law, 1948.”;

(c) immediately after section fourteen thereof there is inserted the following additional sections numbered "14A" and "14B"—

“ Fixing  
meter to  
existing  
supply.

14A. Where water is supplied to any premises under this Law at any rate other than a rate by measure the Board may, at any time upon giving not less than one month's notice in writing in that behalf to the owner or occupier of such premises, enter upon such premises and fix a meter therein for the purpose of supplying water thereto at a rate by measure and thereupon the rate by measure applicable to the supply of water to such premises in accordance with the provisions of section fourteen of this Law shall apply thereto.

Water  
which  
must not  
be used  
for domestic  
purposes.

14B. Water supplied by the Board by measure other than for domestic uses or water supplied at an agreed rate shall not be used for domestic purposes.”;

(d) section seventeen thereof is repealed;

- (e) in section eighteen thereof the words "to a fine not exceeding five pounds" are repealed and the words "to a fine not exceeding twenty-five pounds and to a further fine not exceeding five pounds for every day during which the offence continues after conviction thereof" are substituted therefor;
- (f) in section twenty-one thereof the words "It shall be lawful" are repealed and the words "Notwithstanding the provisions of section fourteen A of this Law it shall be lawful" are substituted therefor;
- (g) in section thirty-one thereof the words "to a penalty not exceeding five pounds" are repealed and the words "to a fine not exceeding twenty-five pounds and to a further fine not exceeding five pounds for every day during which the offence continues after conviction thereof" are substituted therefor;
- (h) in section thirty-two thereof the words "to a fine not exceeding five pounds" are repealed and the words "to a fine not exceeding twenty-five pounds and to a further fine not exceeding five pounds for every day during which the offence continues after conviction thereof" are substituted therefor;
- (i) in section thirty-three thereof the words "to a fine not exceeding five pounds" are repealed and the words "to a fine not exceeding twenty-five pounds and to a further fine not exceeding five pounds for every day during which the offence continues after conviction thereof" are substituted therefor;
- (j) in section thirty-four thereof the words "to a fine not exceeding one hundred pounds or



to imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment" are repealed and the words "to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment" are substituted therefor;

(k) in subsection (3) of section thirty-eight thereof the words "ten pounds" are repealed and the words "fifty pounds" are substituted therefor;

(l) immediately after section thirty-nine thereof there is inserted the following additional section numbered "39A"—

"Variation and repeal of Ordinances. 39A. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance."

Repeal. 2. The Alderney Water Supply (Amendment) Law, 1968, is hereby repealed.

Citation. 3. This Law may be cited as the States Water Supply (Amendment) (Alderney) Law, 1973.

Collective title. 4. This Law and the Alderney Water Supply Law, 1954, may be cited together as the Alderney Water Supply Laws, 1954 and 1973.

Commencement. 5. This Law shall come into force on such day as the States may by Ordinance appoint.

R. H. VIDELO,

Her Majesty's Greffier.