

ORDER IN COUNCIL

VIII

1987

ratifying a Projet de Loi

ENTITLED

The Le Vieux Clos (Sark) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 30th day of June, 1987.)



1987

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 30th day of June, 1987, before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:— Donald Pescott Plummer, Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Stanley Walter John Jehan, Esquires, Mrs. Dorothy Winifred Le Pelley, and Leonard Arthur Moss, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 18th day of May, 1987 approving and ratifying a *Projet de Loi* of the Chief Pleas of Sark entitled "The Le Vieux Clos (Sark) 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 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 Seneschal of Sark for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 18th day, of May 1987

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 5th day of May 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 a humble Petition of John Michael Beaumont, Esquire, Seigneur of Sark, Lawrence Philip de Carteret, Esquire, Seneschal, and Alfred William John Adams, Esquire, Prévôt, of the Island of Sark, setting forth:

‘1. That in pursuance of their Resolution of the 21st day of January 1987 the Chief Pleas of the Island of Sark, at a meeting held on the 21st day of January 1987, approved a Bill or “Projet de Loi” entitled “The Le Vieux Clos (Sark) Law, 1987”. 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 Chief Pleas of Sark entitled “The Le Vieux Clos (Sark) Law, 1987” and to order that the same shall have force of law in the Island of Sark.’

“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, and it is hereby ordered, that the same shall have the force of law within the Island of Sark.

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 Bailiwick of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being, in the said Bailiwick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G. I. de Deney.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Le Vieux Clos (Sark) Law, 1987

WHEREAS by a Conveyance registered on the Records of this Island on the fourth day of October, nineteen hundred and twenty-eight (hereinafter referred to as "the said Conveyance") Sibyl Mary Beaumont (née Collings), Dame de Sercq, Frederick de Carteret, Esquire, Seneschal, Alfred Baker, Esquire, Prévot, Philip Carré, Esquire, Greffier, and John Le Feuvre, Esquire, Constable (hereinafter referred to as "the Trustees") acquired for themselves and their respective successors in office from Hirzel Baker, Esquire, son of Hirzel, a dwelling-house known as "Le Vieux Clos" and gardens the whole forming part of the premises known as Le Vieux Clos situate at La Rue du Manoir in this Island (the said dwelling-house and gardens hereinafter referred to as "the Trust premises") to hold the same, subject to the rights, servitudes and conditions attaching thereto set out in the said Conveyance, in trust to provide a permanent residence for the Medical Officer of Health of this Island:

AND WHEREAS the Trust premises were acquired by the Trustees as aforesaid by virtue of an Order in Council bearing date the 27th day of June 1927 and registered on the records of the Island of Guernsey on the 16th day of July 1927 (hereinafter referred to as "the said Order in Council"):

AND WHEREAS the Trust premises are held by the Trustees subject to the provisions as to alienation and otherwise contained in the said Order in Council:

AND WHEREAS a Report was presented to the Chief Pleas of this Island on the 6th day of August 1986, stating:—

- (a) that a structural survey of the Trust premises had been carried out at the behest of the Trustees and such survey had revealed that large sums of money would be required to be expended on repairs to the Trust premises;
- (b) that the Trust premises have severe shortcomings for the provision of medical facilities, in that the waiting room, surgery and dispensary are inadequate, there is a lack of toilet facilities, and the poor access makes it impossible to take a stretcher or wheel chair in and out of the surgery:

AND WHEREAS after consideration of the said Report the Chief Pleas resolved on the said 6th day of August 1986 that it was desirable that the Trust premises should be sold or let free from the restrictions as to alienation contained in the said Order in Council and that the proceeds of such sale or letting should be applied towards the provision of a new permanent resident for the Medical Officer of Health of this Island and other medical facilities and towards the repair and maintenance of properties used or enjoyed for the general benefit of the inhabitants or other capital expenditure:

NOW THEREFORE the Chief Pleas, in pursuance of their said Resolution of the 6th day of

August, 1986, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in this Island.

1. (1) The provisions of section 2 of the Order in Council bearing date the 27th day of June 1927, and registered on the records of the Island of Guernsey on the 16th day of July 1927(a) shall henceforth cease to apply to the Trust premises and the Trustees for the time being of the Trust premises and any successors in title may sell the Trust premises.

Alienation
of premises
known as
Le Vieux
Clos.

(2) The net proceeds of any sale of the Trust premises by the Trustees for the time being thereof shall be paid to the Treasurer of this Island for the account of the Chief Pleas and the said Treasurer shall stand possessed of such net proceeds of sale and any income arising therefrom on behalf of the Chief Pleas and shall apply the same towards the provision of a new permanent residence for the Medical Officer of Health of this Island and other medical facilities, the repair and maintenance of properties used or enjoyed for the general benefit of the inhabitants of this Island and for such other purposes of a capital nature and in such sums as the Chief Pleas may from time to time direct.

(3) In this section—

(a) the expression “the Trust premises” means the dwelling-house known as “Le Vieux Clos” and gardens which formerly formed part of the premises known as “Le Vieux Clos” situate at La Rue du Manoir in this

(a) Ordres en Conseil Vol. VIII, p. 153.

Island and which were acquired by a Conveyance registered on the 4th day of October, 1928 from Hirzel Baker, Esquire, son of Hirzel, by Sibyl Mary Beaumont (née Collings) Dame de Sercq, Frederick de Carteret, Esquire, Seneschal, Alfred Baker, Esquire, Prévôt, Philip Carré, Esquire, Greffier, and John Le Feuvre, Esquire, Constable for themselves and their respective successors in office;

- (b) the power to sell the Trust premises shall include the power to grant a lease thereof in consideration of a premium and the word "sale" shall be construed accordingly.

Citation. 2. This Law may be cited as the Le Vieux Clos (Sark) Law, 1987.

A. G. LE CHEMINANT,
Her Majesty's Deputy Greffier.