

ORDER IN COUNCIL

XI
2000

ratifying a Projet de Loi

ENTITLED

The Reform (Enactment of Ordinances) (Sark) Law, 2000

(Registered on the Records of the Island of Guernsey
on the 12th December, 2000.)



2000

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 12th day of December, 2000 before Andrew Christopher King Day, Esquire, Deputy Bailiff; present:—David Charles Lowe, Esquire, Mrs. Eileen May Glass, Laurence Lenfestey Guille, Derek Martin Le Page, Alan Cecil Bisson, David Michael Jory, Keith Bichard, OBE, Esquires, The Reverend Peter Gerald Lane, and Michael Henry De La Mare, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 15th day of November, 2000, approving and ratifying a *Projet de Loi* entitled “The Reform (Enactment of Ordinances) (Sark) Law, 2000”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller 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 SÉNÉSCHAL 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 15th day of November, 2000

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 2nd day of November 2000 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 John Michael Beaumont, Seigneur of Sark, Lieutenant Colonel Reginald John Guille, M.B.E. Seneschal of Sark, and Alfred William John Adams, Prévôt, of the Island of Sark, setting forth: 1. That, in pursuance of their Resolution of the 6th day of October 1999, the Chief Pleas of the Island of Sark, at a meeting held on the 27th day of July, 2000 approved a Bill or “Projet de Loi” entitled “The Reform (Enactment of Ordinances) (Sark) Law, 2000”. That the said Bill or “Projet de Loi” is set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty may be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the Chief Pleas of Sark entitled “The Reform (Enactment of Ordinances) (Sark) Law, 2000”, 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 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.

A. K. Galloway

The Reform (Enactment of Ordinances) (Sark) Law, 2000

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of 6th October 1999, 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 Sark.

Early enactment of certain Ordinances

1. In the Reform (Sark) Law, 1951^a immediately after section 8 there is inserted:

"Provisionally effective Ordinances

8A. (1) This section applies in the case of any Ordinance which the Chief Pleas are empowered to make pursuant to this Law or any other enactment for the time being in force, and in respect of which a Law Officer of the Crown has certified that its immediate or early enactment is in his opinion necessary or expedient in the public interest.

(2) Where a draft of any Ordinance to which this section applies is presented to the General Purposes and Advisory Committee (hereinafter referred to as "the Committee") at the instance of the Chief Pleas or of the States of Guernsey, or at the instance of any Authority, Board, Committee or Council of the Chief Pleas or the States of Guernsey, the Committee may, if in its opinion the immediate or early enactment thereof is necessary or expedient in the public interest, order that the same shall be operative either immediately or from such future date as the Committee shall prescribe.

(3) An Ordinance ordered by the Committee to be operative immediately or from a prescribed future date in accordance with subsection (2) of this section shall have effect accordingly in all respects, but subject to

^a Orders en Conseil Vol. XV, p. 215; Vol. XXIII, p. 200; Vol. XXVII, p. 385; Vol XXIX, p. 352; Vol. XXXI, p.320; No. XII of 1991

subsections (4) and (5) of this section, as if it had been made by the Chief Pleas on the date of the Committee's order.

(4) Every Ordinance which comes into effect by virtue of this section shall be laid before the next meeting of the Chief Pleas in such manner as the Chief Pleas may from time to time resolve; and if at that meeting the Chief Pleas resolve that the Ordinance be annulled it shall cease to have effect, but without prejudice to anything previously done thereunder or to the making by the Committee of an order under subsection (2) of this section in respect of a new Ordinance.

(5) Where a copy of an Ordinance having effect by virtue of subsection (3) of this section is transmitted to the Royal Court of Guernsey pursuant to section 8(3) of this Law (as applied by subsection (3) of this section) that Court may annul the Ordinance on the ground (instead of or in addition to those specified in the said section 8(3)) that the order under subsection (2) of this section is unreasonable or ultra vires the Committee."

Citation

2. This Law may be cited as the Reform (Enactment of Ordinances) (Sark) Law, 2000.