

PROJET DE LOI

ENTITLED

The Island of Herm Law, (1946) *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XIII, p. 118. See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288).

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ARRANGEMENT OF SECTIONS

1. Approval of His Majesty required for sale, etc., of Herm.
2. Extension to Herm of certain Laws and Ordinances.
3. Short Title.

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WHEREAS, in pursuance of an agreement between His Majesty's Treasury and the States Board of Administration, the States of Deliberation, at a meeting; held on the twenty-sixth day of July, Nineteen hundred and forty-six, resolved as follows: –

"To purchase the Island of Herm from His Majesty's Treasury, subject to the condition that the Island be not disposed of as a whole by sale or lease without the approval of His Majesty, for the sum of Fifteen thousand pounds and to assume responsibility for the payment of the 'rentes' due on that Island.";

WHEREAS the conveyance of the Island of Herm from His Majesty's Treasury to the States of Guernsey was duly completed and registered at the Greffe of this Island the seventeenth day of December nineteen hundred and forty-six and is hereby confirmed;

WHEREAS it is desirable to implement, by legislation, the condition referred to in the above resolution, and to make provision for the application to the Island of Herm of certain Laws and Ordinances hitherto not applicable to that Island;

THE STATES have adopted the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of Law in this Island and in the Island of Herm.

Approval of His Majesty required for sale, etc., of Herm.

1. No right, title or interest shall pass upon the letting or the sale of, or otherwise upon the transfer or conveyance of any interest in, the Island of Herm as

a whole unless the approval of His Majesty of such letting, sale, transfer or conveyance, as the case may be, has first been obtained.

Extension to Herm of certain Laws and Ordinances.

2. The Royal Court of Guernsey, sitting as the Court of Chief Pleas, may by Ordinance extend to the Island of Herm, with such exceptions, modifications and adaptations, if any, as may be specified in the Ordinance, the provisions of any Law or Ordinance in force in the Island of Guernsey: provided that every such Ordinance shall be laid before the States of Deliberation as soon as may be after the making thereof and if the States, upon consideration of the matter, resolve that that Ordinance should not be applied to the Island of Herm or should be so applied only until such time as is specified in their resolution, then the Royal Court of Guernsey shall revoke or amend that Ordinance in accordance with the terms of such resolution.

NOTES

The following Ordinances have been made under Article 2:

Herm Laws Ordinance, 1948 (the Application of Existing Insular Legislation (Extension to Herm) Ordinance, 1948);

Herm (Application of Legislation) (Shooting of Game) Ordinance, 1969.

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 63, with effect from 17th January, 1949, the powers and functions of a legislative nature previously exercised by the Royal Court (save for the making, variation, modification and revocation of Rules of Procedure) were transferred to and vested in the States of Deliberation, and thenceforth any enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall be construed as having conferred the like power on the States of Deliberation or on the States Legislation Select Committee, as the case may be.

Short Title.

3. This Law may be cited as the Island of Herm Law, (1946).

NOTES

The Law received Royal Sanction on 11th June, 1947 and was registered on the Records of the Island of Guernsey and came into force on 19th July, 1947.

In the printed version of this enactment, the Law is styled as "The Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances".
