

IX.
1938

ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

**Loi portant amendement à la Loi ayant
rapport à la Fourniture d'Eau par les
Etats de cette Ile aux Habitants de la
dite Ile (1938).**

(Enregistré sur les Records de l'Ile de Guernesey le
28 mai 1938.)



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IMPRIMEURS OFFICIELS AUX ÉTATS,
BUREAU DE LA GAZETTE OFFICIELLE,
RUE DU BORDAGE.**

1938.

ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ÎLE DE GUERNESEY

Le vingt-huit mai mil neuf cent trente-huit, par-devant Victor Gosselin Carey, écuyer, Baillif; présents: Jean Allès Simon, John Roussel, Osmond Priaulx Gallienne, Ernest de Garis, Jean Nicolas Robin, Cyril de Putron, Aylmer Machworth Drake, John Leale et James Frederick Carey, écuyers, Jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du six mai mil neuf cent trente-huit, ratifiant un Projet de Loi intitulé "Loi portant amendement à la Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile (1938)." La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile, duquel Ordre la teneur suit: —

At the Court at Onkekttingham Palace,

The 6th day of May, 1938.

Present,

The King's Most Excellent Majesty

LORD PRESIDENT

MR. SECRETARY MACDONALD

LORD GOWRIE

SIR HORACE RUMBOLD

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 3rd day of May, 1938, in the words following, viz.: —

LE 28 MAI 1938.

“Your Majesty having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1. That on the 19th day of February, 1938, the Royal Court adopted a Bill or “Projet de Loi” intituled “Loi portant amendement à la Loi ayant rapport à la Fourniture d’Eau par les Etats de cette Ile aux Habitants de la dite Ile (1938),” and requested the Bailiff to submit the same to the States of Deliberation for their approval. 2. That on the 30th day of March, 1938, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same and authorizing the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule annexed to the Petition. 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 intituled “Loi portant amendement à la Loi ayant rapport à la Fourniture d’Eau par les Etats de cette Ile aux Habitants de la dite Ile (1938),” and to order and direct that the same should have the force of Law within 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.”

His Majesty having taken the said report into consideration is pleased, by and with the advice of His 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 Guernsey.

And His 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 or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His 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.

M. P. A. Hankey.

PROJET DE LOI referred to in the foregoing Order
in Council.

PROJET DE LOI

INTITULÉ

LOI PORTANT AMENDEMENT À LA LOI
AYANT RAPPORT À LA FOURNITURE D'EAU
PAR LES ÉTATS DE CETTE ÎLE AUX
HABITANTS DE LA DITE ÎLE (1938).

Les Etats ont approuvé les dispositions suivantes rédigées en anglais lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de Loi en cette Île.

1.—Article 39 of the Law intituled “Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Île aux Habitants de la dite Île,” sanctioned by an Order of His Majesty in Council registered on the Records of this Island on the 7th day of May, 1927, (the said Law hereinafter referred to as the Law of 1927) is hereby repealed and there is substituted therefor the following Article which shall be deemed henceforth to constitute part of the Law of 1927 :—

39.—(1) Save with the permission of the Board it shall not be lawful for any person other than the Board to lay or use pipes for the supply of water to others.

Provided that the provisions of this Article shall not have effect—

- (a) as regards the laying, repair and renewal of pipes elsewhere than in the public roads, streets or ways of this Island in districts not served by the Board's mains and the use of such pipes for the supply of water to others while a supply from the Board's mains is not available ; or
- (b) as regards the use, repair and renewal of pipes in use for the supply of water to others on the 31st day of December, 1937, whether laid in the public roads, streets or ways of this Island or elsewhere, for

- (i) the continued supply of water to premises which, or of which some part or parts thereof, were being supplied with water by means of such pipes on such last-mentioned date and of which premises so supplied particulars together with the names and postal addresses of the then owners and occupiers thereof are furnished to the Board by the supplier of water thereto within thirty days after the first publication by the Board in "La Gazette Officielle" of an announcement requiring suppliers of water to furnish such particulars and information to the Board; and
- (ii) the supply of water to other premises which are contiguous to the last-mentioned premises, and are now or are hereafter in the same ownership or occupation; and where premises are supplied with water by virtue of the provisions of this sub-paragraph, the supply may be lawfully continued notwithstanding the cessation of the common ownership or occupation which had hitherto rendered such supply lawful.

(2) Upon the Board refusing to grant permission to any person to lay or use pipes for the supply of water to others, any person aggrieved by such refusal may petition the Royal Court sitting as a Full Court and thereupon the Court, after hearing the petitioner and the Board, may direct the Board to grant in whole or in part such permission as was applied for.

(3) Any person who shall contravene any provision of this Article shall be guilty of an offence and shall be liable on conviction before the Royal Court to a fine not exceeding £50, and upon any

such conviction, in addition to such fine, the Court may order that any pipe as regards which the contravention occurred shall be removed or rendered unusable by the Board or otherwise at the expense of the person convicted.

2.—This Law may be cited as the States Water Supply Law, 1938, and the Law of 1927 and this Law may be cited together as the States Water Supply Laws, 1927 to 1938.

QUERTIER LE PELLEY,

Greffier du Roi.