

ORDER IN COUNCIL

XI
2014

ratifying a Projet de Loi

ENTITLED

The Reform (Sark) (Amendment) Law, 2014

(Registered on the Records of the Island of Guernsey
on the 10th November, 2014.)



2014

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 10th day of November, 2014 before Sir Richard Collas, Bailiff;
present:- Susan Mowbray, Terry George Snell, Niall David McCathie,
Esquires, Margaret Ann Spaargaren, Terry John Ferbrache, David
Allan Grut, Jonathan Grenfell Hooley, Esquires, Jurats.

The Bailiff having this day placed before the Court an
Order of Her Majesty in Council dated 8th October, 2014 approving and ratifying a
Projet de Loi of the Chief Pleas of Sark, entitled “The Reform (Sark) (Amendment)
Law, 2014”, THE COURT, after the reading of the said Order in Council and after
having heard Her Majesty’s Procureur thereon, ORDERED:

1. That the said Order 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
be sent by Her Majesty’s Greffier to the Sénéchal of Sark for registration
on the records of that Island.

J TORODE
Her Majesty’s Greffier



At the Court at Buckingham Palace

THE 8th DAY OF OCTOBER 2014

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the Chief Pleas of the Island of Sark:

“That, in pursuance of their Resolution of 13th August 2014, the Chief Pleas of the Island of Sark at a meeting on 13th August 2014 approved a *Projet de Loi* entitled the Reform (Sark) (Amendment) Law, 2014. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Reform (Sark) (Amendment) Law, 2014, and to order that it shall have force of law in the Island of Sark.

“The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it.”

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Island of Sark and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

Richard Tilbrook

PROJET DE LOI

ENTITLED

The Reform (Sark) (Amendment) Law, 2014

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 13th August, 2014, 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.

Amendments to 2008 Law.

1. The Reform (Sark) Law, 2008, as amended^a ("**the Law of 2008**"), is further amended as follows.

2. In section 8 of the Law of 2008, for subsection (1) substitute the following subsections -

"(1) The Lieutenant Governor may, after consultation with the Seneschal and the Bailiff, appoint one or more Lieutenant Seneschals who -

(a) shall have been in practice as -

(i) an Advocate of the Royal Court,

^a Order in Council No's. V, VI and XXVII of 2008; No. XIV of 2010; No. XII of 2011.

(ii) a member of -

(A) the Bar of England and Wales,

(B) the Bar of Northern Ireland, or

(C) the Faculty of Advocates in
Scotland, or

(iii) a Solicitor -

(A) of the Senior Courts of England
and Wales,

(B) of the Supreme Court of
Judicature of Northern Ireland,
or

(C) in Scotland, or

(b) shall have held judicial office in the United
Kingdom, Guernsey, Jersey or the Isle of Man,

for not less than 5 years (or such shorter period as the Lieutenant Governor,
after consultation with the Seneschal and the Bailiff, may agree to in any
particular case).

(1A) The Chief Pleas may by Ordinance, after consultation
with the Seneschal and the Bailiff, amend the qualifications and the period
set out in subsection (1)."

3. In section 23 of the Law of 2008, in subsection (10), for the words "the period of office to be served" to the end substitute the words "the successful candidates who receive the largest numbers of votes shall be declared elected to fill the vacancies with the longer period of office remaining; and if, at such an election, there is an equal number of votes for two or more successful candidates such that their respective terms of office cannot otherwise be determined, the period of office to be served by each such candidate shall be determined by lots drawn by those candidates under the supervision of the returning officer immediately after the declaration of the result of the by-election."

Interpretation.

4. (1) In this Law, unless the context otherwise requires, "**the Law of 2008**" means the Reform (Sark) Law, 2008, as amended.

(2) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of this Law as it applies to the interpretation of an enactment in force in the Island of Guernsey.

(3) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

5. This Law may be cited as the Reform (Sark) (Amendment) Law, 2014.

^b Ordres en Conseil Vol. XIII, p. 355.

Commencement.

6. This Law shall come into force on the date of its registration on the records of the Island of Sark.

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