

ORDER IN COUNCIL

**XIV
2016**

ratifying a Projet de Loi

ENTITLED

The Fire Services (Sark) (Amendment) Law, 2016

(Registered on the Records of the Island of Guernsey
on the 5th December, 2016.)



2016

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 5th day of December, 2016 before John Russell Finch, Esquire, Judge of the Royal Court; present:- Susan Mowbray, Barbara Jean Bartie, John Ferguson, Esquire, Claire Helen Le Pelley, Peter Sean Trueman Girard, Esquire, Constance Helyar-Wilkinson, Terry George Snell, Esquire, Margaret Ann Spaargaren, Terry John Ferbrache, David Allan Grut, Jonathan Grenfell Hooley and David James Mortimer, Esquires, Jurats.

The Judge, having this day placed before the Court an Order of Her Majesty in Council dated 16th November, 2016 approving and ratifying a Projet de Loi of the Chief Pleas of Sark entitled “The Fire Services (Sark) (Amendment) Law, 2016”, 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 be registered on the records of the Island of Sark and on the records of this Island.

J. TORODE
Her Majesty’s Greffier.



At the Court at Buckingham Palace

THE 16th DAY OF NOVEMBER 2016

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 Resolutions of 4th May 2011 and 5th October 2016 the Chief Pleas of the Island of Sark at a meeting on 5th October 2016 approved a *Projet de Loi* entitled the Fire Services (Sark) (Amendment) Law, 2016. 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 Fire Services (Sark) (Amendment) Law, 2016, 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 Fire Services (Sark) (Amendment) Law, 2016

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 4th May 2011 and 5th October, 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.

Amendment of principle Law.

1. Section 26 of the Fire Services (Sark) Law, 2016^a is amended as follows –

- (a) for "Subject to section 3(3)" substitute "(1) Subject to subsection (2) and sections 3(3)", and
- (b) insert the following additional subsection

" (2) Subsection (1) does not prevent an award of damages in respect of the act or omission on the ground that it was unlawful as a result of section 6(1) of the Human Rights (Bailiwick of Guernsey) Law, 2000".

Interpretation.

2. (1) In this Law -

"enactment" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"principle Law" means the Fire Service (Sark) Law, 2016,

^a Approved by the Chief Pleas on 6th July 2016.

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislation effect, but does not include an Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of this Law.

(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.

4. This Law may be cited as the Fire Services (Sark) (Amendment) Law, 2016.

Commencement.

5. This Law shall come into force on the day of commencement of section 26 of the principal Law.

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

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