

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Building Control (Temporary Provisions) (Sark) Law, 1974**

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(Registered on the Records of the Island of Guernsey  
on the 20th day of August, 1974.)

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1974

**X**  
**1974**

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 20th day of August, 1974, before Ernest Pattison Shanks, Esquire, Deputy Bailiff; present:— Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, D'Arcy George Le Tissier, Jean Le Pelley, Walter Francis Robin, Richard Alan Kinnersly, Richard Brook Sutcliffe and Richard Oliver Symons, Esquires, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 28th day of June, 1974, ratifying a Projet de Loi of the Chief Pleas of the Island of Sark entitled "The Building Control (Temporary Provisions) (Sark) Law, 1974", 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 in Council be registered on the records of this Island and 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 Seneschal 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 28th day of June 1974

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 19th day of June 1974, 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 Sibyl Mary Hathaway, D.B.E., Dame de Sercq, Bernard Grace Jones, Esquire, Seneschal, and John Peter Guille, Esquire, Prévôt of the Island of Sark, setting forth:—

‘1. That in pursuance of their Resolution of the 16th day of January 1974, the Chief Pleas of the Island of Sark, at a Meeting held on the 17th day of April 1974, approved a Bill or “Projet de Loi” entitled “The Building Control (Temporary Provisions) (Sark) Law, 1974”. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. 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 Chief Pleas of Sark entitled “The Building Control (Temporary Provisions) (Sark) Law, 1974” and to order that the same shall have force of law in the Island of Sark.’

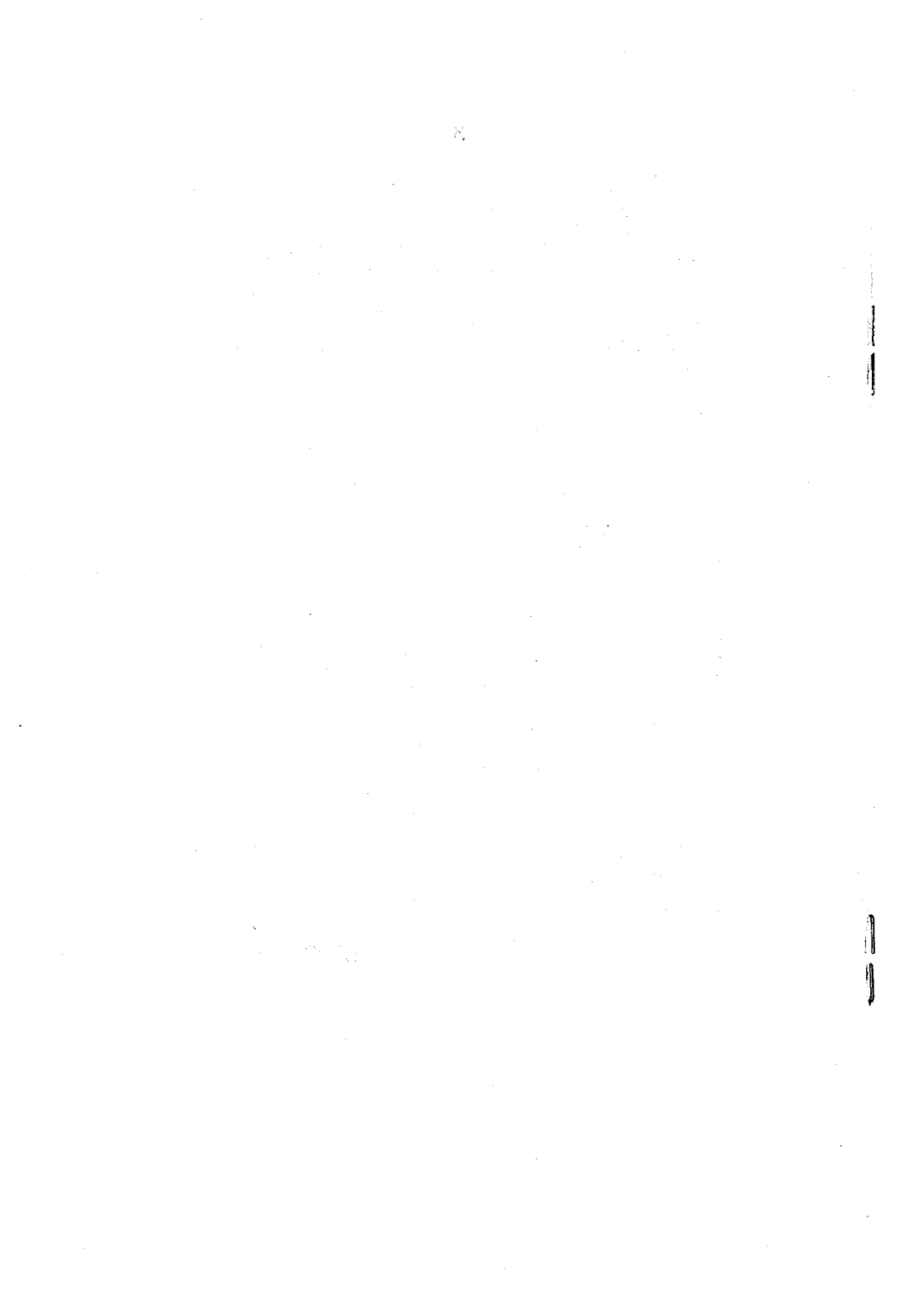
"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

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, as it is hereby ordered, that the same shall have the force of the 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.

*W. G. Agnew.*



Projet de Loi referred to in the foregoing  
Order in Council.

## PROJET DE LOI

ENTITLED

### **The Building Control (Temporary Provisions) (Sark) Law, 1974**

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the sixteenth day of January, nineteen hundred and seventy-four, 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.

1. Notwithstanding the provisions of the Preservation of Natural Amenities and Agricultural Land Control (Sark) Law, 1961(a) (hereafter in this Law referred to as "the Law of 1961"), and of any Ordinance made thereunder, the Preservation of Natural Amenities and Agricultural Land Control Committee constituted under that Law (hereafter in this Law referred to as "the Committee"), shall not, during the continuance in force of this Law, grant to any person any permission or preliminary declaration under the Law of 1961 or any Ordinance made thereunder in respect of the erection of a dwelling.

Control of  
erection of  
dwellings.

2.—(1) Subject to the provisions of subsection (2) of this section, this Law shall cease to have effect upon the expiration of the eight months next following the day on which this Law comes into

Duration of  
this Law.

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(a) Ordres en Conseil Vol. XVIII, p. 303.

force in pursuance of subsection (3) of section five of this Law (hereafter in this Law referred to as "the appointed day").

(2) The Chief Pleas may—

- (a) at any time during the said period of eight months, provide by Ordinance that this Law shall, immediately upon the expiration of that period, continue in force for a further period of eight months (hereafter in this subsection referred to as "the second period of eight months"); and
- (b) at any time during the second period of eight months, provide by Ordinance that this Law shall, immediately upon the expiration of the second period of eight months, continue in force for a further period of eight months.

Exceptions.

3. Nothing in section one of this Law shall be taken to prohibit the Committee from granting to any person any permission or preliminary declaration under the Law of 1961 or any Ordinance made thereunder—

- (a) in respect of the erection of a dwelling on any site if any such permission or preliminary declaration in respect of the erection of a dwelling on that site was in force immediately before the appointed day;
- (b) in respect of the erection of a dwelling the whole or any part of the cost of which is to be met out of monies provided by the Chief Pleas whether in pursuance of the provisions of La Ville Roussel (Variation of Trusts) (Sark) Law, 1968(b) or otherwise; and

- (c) in respect of any alteration or addition to, or the re-erection of—
  - (i) any dwelling or other building which was erected before the appointed day;
  - (ii) any dwelling in the course of erection immediately before that day; or
  - (iii) any dwelling in respect of the erection of which any permission or preliminary declaration was in force immediately before that day.

4. In this Law the expression “dwelling” means any premises, or any part of any premises, used or intended to be used wholly or principally for the purpose of human habitation. Meaning of “dwelling”.

5.—(1) This Law may be cited as the Building Control (Temporary Provisions) (Sark) Law, 1974. Citation, interpretation and commencement.

(2) The Interpretation (Guernsey) Law, 1948(c), shall apply to the interpretation of this Law as it applies to the interpretation of a Guernsey enactment.

(3) This Law shall come into force on the seventh day next following the date of the registration of this Law on the Records of the Island of Guernsey.

R. H. VIDELO,  
Her Majesty's Greffier.