

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The States Water Supply (Amendment) (Guernsey) Law, 1958

(Registered on the Records of the Island of Guernsey
on the 23rd day of December, 1958.)



1958.

XIX

1958

(LAST)

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 23rd day of December, 1958, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :—
Sir John Leale, William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Henry Robin Bichard and Stanley Walter Gavey, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 19th day of December, 1958, ratifying a *Projet de Loi* entitled "The States Water Supply (Amendment) (Guernsey) Law, 1958",—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace,

The 19th day of December, 1958.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

MR. BOYD-CARPENTER

CHANCELLOR OF THE DUCHY OF LANCASTER

SIR HARRY HYLTON-FOSTER

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 December, 1958, 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 the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 28th day of May, 1958, the States of Deliberation at a meeting held on the 1st day of October, 1958, approved a Bill or “Projet de Loi” entitled “The States Water Supply (Amendment) (Guernsey) Law, 1958” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 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 States of Guernsey entitled "The States Water Supply (Amendment) (Guernsey) Law, 1958" and to order that the same shall have the force of Law in 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."

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 Law within the Island of Guernsey.

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 Island of Guernsey, the Bailiff and Jurats, and all other Her 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.

W. G. AGNEW.

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

PROJET DE LOI

ENTITLED

The States Water Supply (Amendment) (Guernsey) Law, 1958

THE STATES, in pursuance of their Resolution of the twenty-eighth day of May, nineteen hundred and fifty-eight, 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 Guernsey.

Amendment
of Article
14 and
Article 17
of the Law
of 1927.

1. The Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Île aux Habitants de la dite Île" registered on the seventh day of May, nineteen hundred and twenty-seven, as amended (hereinafter referred to as "the principal Law") is, subject to the provisions of the States Water Supply (Temporary Provisions) Laws, 1938 and 1949, further amended as follows—

(a) Article 14 thereof is hereby repealed and the following Article substituted therefor—

"Water
rate for
domestic
purposes.

14. The Board shall, at the request of the owner or occupier of any property in any street, road or public place in which any water pipe of the Board shall be laid, furnish to such property a sufficient supply of water for domestic use at the rates per annum hereinafter specified, namely:—

- (a) such annual rate per centum of the rateable value according to the General Cadastre of the Island of the property supplied as the Board may from time to time determine, so however that such annual rate shall not exceed such maximum annual rate as may from time to time be fixed by the States by Ordinance; and
 - (b) such annual rate for each ordinary bath fixed in that property as the Board may from time to time determine, so however that such annual rate shall not exceed such maximum annual rate as may from time to time be fixed by the States by Ordinance.”;
- (b) Article 17 thereof is hereby repealed and the following Article substituted therefor—
- “Water rate by measure. 17. (1) The Board shall supply water for other than domestic purposes either—
- (a) at such agreed rate and upon such terms and conditions as may be agreed between the Board and the person desirous of having such water supply; or
 - (b) by measure at such rate per thousand gallons and upon such terms and con-

ditions as may be agreed between the Board and the person desirous of having such supply, so however that such rate shall not exceed such maximum rate per thousand gallons as may from time to time be fixed by the States by Ordinance.

(2) Water supplied by the Board for the purposes mentioned in Article 18 of this Law shall be supplied by measure in accordance with the provisions of subsection (b) of section (1) of this Article.

(3) Water supplied by the Board by measure, other than for the purposes mentioned in Article 18 of this Law, or at an agreed rate as aforesaid shall not be used for domestic purposes.

(4) The Board shall prescribe a minimum charge per quarter for supply by measure as aforesaid but such minimum charge shall not—

- (a) in respect of glasshouses, exceed an amount calculated at the rate of ten shillings per hundred feet by thirty feet or proportionately thereto; and
- (b) in respect of premises other than glasshouses, exceed an amount calculated on

the basis of one quarter of the annual rate for the time being determined by the Board under the provisions of Article 14 of this Law for water for domestic uses.

(5) Notwithstanding anything contained in the foregoing provisions of this Article, instead of paying the minimum charge mentioned in subsection (a) of the last foregoing section, a consumer having for any glasshouse a means of supply of water other than that provided by the Board may, on giving to the Board one month's notice before the commencement of any quarter, pay, for such period as may be agreed between the consumer and the Board, a standby charge at the rate per quarter of five shillings per hundred feet by thirty feet or proportionately thereto and in addition the rate per thousand gallons fixed in accordance with the provisions of subsection (b) of section (1) of this Article for all water supplied by the Board by measure in respect of that glasshouse."

2. The States Water Supply Law, 1951, section Repeals. three of the States Water Supply Laws, 1927 to 1951, (Amendment) (Guernsey) Law, 1952, and the States Water Supply (Amendment) (Guernsey) Law, 1957, are hereby repealed.

Citation.

3. This Law, the States Water Supply Laws, 1927 to 1951, (Amendment) (Guernsey) Law, 1952, and the States Water Supply Laws, 1927 to 1938, may be cited together as the States Water Supply (Guernsey) Laws, 1927 to 1958.

**Commence-
ment.**

4. This Law shall come into force on such day as shall be appointed in that behalf by Ordinance of the States:

PROVIDED that any powers conferred by this Law on the States to make any Ordinance may be exercised at any time after the registration of this Law and before the day appointed or to be appointed as aforesaid, subject to the restriction that any such Ordinance shall not come into force until this Law comes into force.

R. H. VIDELO,

Her Majesty's Greffier.