

ORDER IN COUNCIL

III
2015

ratifying a Projet de Loi

ENTITLED

The Tourism (Sark) (Amendment) Law, 2014

(Registered on the Records of the Island of Guernsey
on the 12th January, 2015.)



2015

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 12th day of January, 2015 before Sir Richard Collas, Bailiff, present:-
David Osmond Le Conte, John Ferguson, Stephen Murray Jones,
Esquires, Constance Helyar-Wilkinson, David Percy Langley Hodgetts
LVO, Niall David McCathie, Esquires, Margaret Ann Spaargaren,
Jonathan Grenfell Hooley, Esquire, Jurats.

The Bailiff, having this day placed before the Court an
Order of Her Majesty in Council dated 10th December, 2014 approving and ratifying a
Projet de Loi of the Chief Pleas of Sark entitled “The Tourism (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 10th DAY OF DECEMBER 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 1st October 2014, the Chief Pleas of the Island of Sark at a meeting on 1st October 2014 approved a *Projet de Loi* entitled the Tourism (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 Tourism (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 Tourism (Sark) (Amendment) Law, 2014

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 1st October, 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 1982 Law.

1. The Tourism (Sark) Law, 1982, as amended^a, is further amended as follows.

2. In section 6(1), after "require" add

", including (without limitation) -

- (a) for the purposes of section 8(b)(ii), a statement in writing issued by the Douzaine confirming whether or not the premises are inscribed on the Register of Restricted Dwellings established by the Housing (Control of Occupation) (Sark) Law, 2011, and

^a Ordres en Conseil Vol. XXVII, p. 576; Vol. XXIX, p. 488; Vol. XXXI, p. 320; Order in Council No. XII of 2012; the Tourism (Accommodation Permits) Ordinance, 2011.

- (b) for the purposes of, and in compliance with, section 8(b)(iii), a certificate of the Public Health Committee".

3. In section 8, for paragraph (b) substitute the following paragraph –

"(b) in the case of the letting of any premises –

- (i) the nature and condition of such premises and, in the case of furnished premises, the household furniture, equipment and amenities provided or to be provided,
- (ii) whether the premises are inscribed on the Register of Restricted Dwellings established by the Housing (Control of Occupation) (Sark) Law, 2011, and the effect of any such inscription upon the lawful occupation of those premises by any person,
- (iii) the results of an analysis of a water sample taken from the premises, by a person authorised by the Public Health Committee, not more than 8 weeks prior to the date when the matter is considered by the Committee,".

4. Immediately after section 8 insert the following additional section –

"**8A.** The Committee may at any time for the purposes of considering the matters set out in section 8 require any person to produce such information in such form as the Committee may require."

5. In section 21, immediately after the definition of "the Court", insert the following definition –

"the Douzaine" means the Douzaine elected pursuant to section 43 of the Reform (Sark) Law, 2008^b,".

Interpretation.

6. (1) In this Law -

"enactment" means any Law, Ordinance or subordinate legislation,

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

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

^b Order in Council Nos. V, VI and XXVII of 2008; No. XIV of 2010; No. XII of 2011; the Reform (Sark) (Amendment) Law, 2014.

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

(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.

7. This Law may be cited as the Tourism (Sark) (Amendment) Law, 2014.

Commencement.

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

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey

PRICE £4.00

Printed by Colour Monster Printshop, Lowlands Building, Lowlands Industrial Estate, Guernsey GY3 5XH.