

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Mooring Charges (Alderney) Law, 1976**

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(Registered on the Records of the Island of Guernsey  
on the 24th day of August, 1976.)

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# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 24th day of August, 1976, before Ernest Pattison Shanks, Esquire, .C.B.E., Deputy Bailiff; present:—Claude Fortescue Nason, Esquire, Stanley Walter Gavey, Esquire, O.B.E., D'Arcy George Le Tissier, Walter Francis Robin, Richard Alan Kinnersly, Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires and Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 2nd day of July, 1976, ratifying a *Projet de Loi* of the States of Alderney entitled "The Mooring Charges (Alderney) Law, 1976", 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 Clerk of the Court of Alderney for registration on the records of that Island, of which Order in Council the tenor followeth:—

# At the Court at Buckingham Palace

The 2nd day of July 1976

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 22nd day of June 1976, 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 a humble Petition of Jon Kay-Mouat, Esquire, President of the States of Alderney setting forth:

‘That at a meeting of the States of Alderney held on the 4th day of February 1976, the States adopted a Resolution that a *Projet de Loi* entitled “The Mooring Charges (Alderney) Law, 1976” be approved: That at the meeting of the States aforesaid Your humble Petitioner was authorised to present to Your Majesty in Council a Petition that the said *Projet de Loi* be sanctioned: That the said *Projet de Loi* is set forth in the words and figures of the Schedule hereunto annexed: And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the *Projet de Loi* entitled “The Mooring Charges (Alderney) Law, 1976” and to order that the same shall have the force of law within the Island of Alderney.’

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, 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 Alderney.

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, of the said Island of Guernsey, and also the Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*N. E. Leigh.*



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

## PROJET DE LOI

ENTITLED

### **The Mooring Charges (Alderney) Law, 1976**

THE STATES, in pursuance of their Resolution of the fourth day of June, nineteen hundred and seventy-five, 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 Alderney.

1.—(1) There shall be payable by the owners of boats in respect of moorings allocated to them by or on behalf of the States Transport and Harbour Committee in Braye Harbour such charges (hereinafter referred to as "mooring charges") as the States may, from time to time, by Ordinance prescribe and any such Ordinance may prescribe different mooring charges in respect of different boats or different classes of boats, in respect of different parts of Braye Harbour and any such Ordinance may make provision for the exemption from the payment of mooring charges by the owners:—

Imposition  
of mooring  
charges by  
Ordinance.

- (a) of such boats or classes of boats as may be specified in any such Ordinance;
- (b) of boats moored in such parts of Braye Harbour as may be specified in any such Ordinance.

(2) Any mooring charges which become payable under or by virtue of the provisions of this Law may be recovered as a civil debt due to the States.

**Variation  
and repeal of  
Ordinances.**

2. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance.

**Interpreta-  
tion.**

3. In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“boat” means anything made for the carriage by water of human beings or of property;

“Braye Harbour” means the area to the southward of a line drawn from the north-eastern end of the submerged portion of the Alderney Breakwater to the Outer Grois Rock;

“owner” includes a charterer, an agent and a man-in-charge of a boat.

**Citation.**

4. This Law may be cited as the Mooring Charges (Alderney) Law, 1976.

**Commence-  
ment.**

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

**R. H. VIDELO,**

Her Majesty's Greffier.