

ORDER IN COUNCIL

III
1987

ratifying a Projet de Loi

ENTITLED

The Building and Development Control (Amendment) (Alderney) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 19th May, 1987.)



1987.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of May, 1987 before Sir Charles Frossard, Kt., Bailiff; present: Donald Pescott Plummer, Brian Ernest Herbert Joy, Esquires, Charles Henry Hodder, Esquire, O.B.E., Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley and Leonard Arthur Moss, Esquire, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 18th day of March, 1987 ratifying a Projet de Loi of the States of Alderney entitled "The Building and Development Control (Amendment) (Alderney) Law 1987", 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 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 18th day of March 1987

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 10th day of March 1987 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 3rd day of September 1986 the States adopted a Resolution that a *Projet de Loi* entitled “The Building and Development Control (Amendment) (Alderney) Law, 1987” 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 as 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 *Projet de Loi* entitled “The Building and Development Control (Amendment) (Alderney) Law, 1987” and order that the same shall have 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, and 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.

G. I. de Deney.

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

PROJET DE LOI

ENTITLED

The Building and Development Control (Amendment) (Alderney) Law, 1987

THE STATES, in pursuance of their Resolution of the 5th day of March 1986, 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. The Building and Development Control (Alderney) Law, 1975, as amended^(a), is hereby further amended as follows:—

Amend-
ments to
Law of 1975.

(a) the following additional section is inserted immediately after section 13—

“Self-cater-
ing tourist
accommo-
dation.

13A. (1) Without prejudice to the generality of subsection (1) of section six of this Law, the Committee may grant permission under that subsection for the erection or use of a building subject to the condition that it shall be designated as “self-catering tourist accommodation” for the purposes of this Law.

(2) The States may from time to time by Ordinance regulate the use and occupation of any building which is designated as “self-catering tourist

(a) Ordres en Conseil Vol. XXV, p. 8; Vol. XXVI, p. 560; Nos. II and III of 1985.

accommodation" pursuant to subsection (1) of this section; and any such Ordinance may—

- (a) make different provision as respects different buildings and different circumstances;
- (b) regulate the occupation of designated self-catering tourist accommodation, either generally, or by persons of specified descriptions, or without the written permission of the Committee;
- (c) provide that a person who contravenes a provision of the Ordinance shall be guilty of an offence and prescribe the maximum penalty for any such offence.

(3) The Registrar shall, upon receiving a certificate from the Clerk of the States to the effect that a building has been designated as "self-catering tourist accommodation" pursuant to subsection (1) of this section, note that fact in the Register against the entry relating to the land on which that building is erected;

and a note made in accordance with this subsection shall not be cancelled whilst the building concerned continues to be designated as "self-catering tourist accommodation".";

- (b) the following additional subsection is inserted immediately after section 14(2)—

“(3) a Resolution under subsection (1) of this section shall not apply as respects any building which is designated as “self-catering tourist accommodation” pursuant to subsection (1) of section 13A of this Law.”;

- (c) in section 34(1), the full stop at the end is replaced by a semi-colon and the following additional definitions are inserted immediately thereafter—

““the Register” means the Alderney Land Register compiled pursuant to Part III of the Alderney Land and Property, &c., Law, 1949;

“the Registrar” means the person styled Land Registrar under section 13(2) of the Alderney Land and Property, &c., Law, 1949.”;

- (d) in section 34(3), after “a single dwelling” there is inserted “, or the use as a private dwelling of any building designated as “self-catering tourist accommodation” pursuant to subsection (1) of section 13A of this Law”.

2. This Law may be cited as the Building and Development Control (Alderney) Law, 1987. Citation.

3. This Law and the Building and Development Control (Alderney) Laws, 1975 to 1985 may be cited together as the Building and Development Control (Alderney) Laws, 1975 to 1987. Collective titles.

K. H. TOUGH,
Her Majesty's Greffier.