

ORDER IN COUNCIL

**X
2009**

ratifying a Projet de Loi

ENTITLED

The Development Control (Sark) (Amendment) Law, 2008

(Registered on the Records of the Island of Guernsey
on the 27th April, 2009.)



2009

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

27th day of April, 2009 before Richard John Collas, Esquire, Deputy Bailiff; present:- Derek Martin Le Page, Stephen Edward Francis Le Poidevin, Michael Henry De La Mare, The Reverend Peter Gerald Lane, Esquires, Susan Mowbray, Barbara Jean Bartie, John Ferguson, Stephen Murray Jones Esquires, Claire Helen Le Pelley and Peter Sean Trueman Girard, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 18th March 2009 approving and ratifying a Projet de Loi entitled "The Development Control (Sark) (Amendment) Law, 2008", 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 in Council 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 in Council be sent by Her Majesty's Greffier to the S  n  schal of Sark for registration on the records of that Island.



At the Court at Buckingham Palace

THE 18th DAY OF MARCH 2009

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 22 February 1952 the Committee have considered a Petition of the Chief Pleas of the Island of Sark:

"That, in pursuance of their Resolutions of the 11th April 2007 and 3rd October 2007, the Chief Pleas of the Island of Sark at a meeting on 17th January 2008 approved a *Projet de Loi* entitled the Development Control (Sark) (Amendment) Law, 2008. 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 Development Control (Sark) (Amendment) Law, 2008, 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.

Judith Simpson

PROJET DE LOI

ENTITLED

The Development Control (Sark) (Amendment) Law, 2008

THE CHIEF PLEAS OF SARK, in pursuance of their Resolutions of the 11th day of April 2007, the 3rd day of October 2007 and the 17th day of January 2008, 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.

Amendment to the 1991 Law.

1. The Development Control (Sark) Law, 1991^a ("**the 1991 Law**") is amended as follows –

- (a) immediately after "unsightly;" at the end of subsection (g) of section 4, insert the word "and", and after that word insert the following subsection-

"(h) the payment of fees on the making of an application to the Committee.";

- (b) immediately after the word "section" in section 5, substitute "4" for "3";

- (c) for subsection (4) of section 12 substitute-

^a Order in Council No. IX of 1991.

"(4) On any appeal under the provisions of subsection (1) of this section, the burden of satisfying the tribunal that the decision of the Committee which is the subject of the appeal is intra vires, or a reasonable exercise of its powers (as the case may be), shall be discharged by the Committee, and the appellant shall be entitled to a final right of reply."; and

(d) section 14 is repealed.

Citation.

2. This Law may be cited as the Development Control (Sark) (Amendment) Law, 2008.

Commencement.

3. This Law shall come into force on the day next following the expiration of one calendar month from the date of registration.

S.M. SIMMONDS,
Her Majesty's Deputy Greffier.

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