

ORDER IN COUNCIL

XI
2018

ratifying a Projet de Loi

ENTITLED

The Retrait Lignager (Abolition) (Sark) Law, 2018

(Registered on the Records of the Island of Guernsey
on the 10th December, 2018.)



2018

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 10th day of December, 2018 before Sir Richard Collas, Bailiff, present:- Stephen Murray Jones, Esquire, OBE, Claire Helen Le Pelley, David Percy Langley Hodgetts, Esquire, L.V.O., Niall David McCathie, Terry John Ferbrache, David Allan Grut, Steven John Morris, David James Mortimer, Esquires, Joanne Marie Wyatt, Alan Stevenson Boyle, Peter Francis Gill, David John Robilliard and Stuart Michael Crisp, Esquires, Jurats.

The Bailiff, having this day placed before the Court an Order in Council dated 7th November, 2018, approving and ratifying the Projet de Loi of the Chief Pleas of Sark, entitled “The Retrait Lignager (Abolition) (Sark) Law, 2018”, THE COURT, after the reading of the said Order 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 a copy of the said Order be sent by Her Majesty’s Greffier to the S  n  schal of Sark for registration on the records of that Island.

J. TORODE
Her Majesty’s Greffier.



At the Court at Buckingham Palace

THE 7th DAY OF NOVEMBER 2018

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 18th April 2012, the Chief Pleas of the Island of Sark at a meeting on 4th July 2018 approved a *Projet de Loi* entitled the *Retrait Lignager (Abolition) (Sark) Law, 2018*. 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 *Retrait Lignager (Abolition) (Sark) Law, 2018*, 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 Retrait Lignager (Abolition) (Sark) Law, 2018

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 18th April, 2012, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in Sark.

Abolition of right of retrait lignager.

1. (1) Subject to subsection (2), the right of redemption of real property ("droit de retrait lignager") is abolished.

(2) Subsection (1) shall not affect any proceedings en retrait lignager instituted before the commencement of this Law.

Interpretation.

2. (1) In this Law -

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

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

(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.

3. This Law may be cited as the Retrait Lignager (Abolition) (Sark) Law, 2018.

Commencement.

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

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

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