

BILLET D'ÉTAT No. XXI, 2011

14th DECEMBER 2011

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The Housing (Control of Occupation) (Amendment of Housing Register) (No. 2) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th June, 2005^a and in exercise of the powers conferred upon them by sections 52 and 66 of the Housing (Control of Occupation) (Guernsey) Law, 1994^b hereby order:-

Addition of dwellings to Part A of Housing Register.

1. The Authority may inscribe in Part A of the Housing Register the dwellings known, or to be known, as Ferriere, Parfonde, Anfree and Moulinet, Royal Terrace, Gategny Esplanade, Saint Peter Port.

Applications to be made on or before 30th June, 2013.

2. An application to the Authority to inscribe any or all of the dwellings described in section 1 in Part A of the Housing Register must be made on or before the 30th June, 2013.

Licences to lapse if applications not made on or before 30th June, 2013.

3. Should the owner of a dwelling described in section 1 fail, on or before the 30th June, 2013, to make application to the Authority to inscribe the dwelling in Part A of the Housing Register, any housing licence held in respect of the occupation of that dwelling and valid at the expiration of that period shall thereupon cease to be valid.

^a Article XIII of Billet d'État No. IX of 2005.

^b Ordres en Conseil Vol. XXXV(1), p. 75; amended by Ordres en Conseil Vol. XXXVIII, p. 193 and Order in Council No. III of 2002; No. VIII of 2007; No. I of 2009; and Recueil d'Ordonnances Tome XXXIII, p. 100.

Interpretation.

4. Except where the context requires otherwise, expressions used in this Ordinance have the same meanings as in the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended.

Citation.

5. This Ordinance may be cited as the Housing (Control of Occupation) (Amendment of Housing Register) (No. 2) Ordinance, 2011.

Commencement.

6. This Ordinance shall come into force on the 14th December, 2011.

ORDINANCE LAID BEFORE THE STATES

**The Libya (Restrictive Measures)
(Guernsey) (Amendment) (No.3) Ordinance, 2011**

THE STATES LEGISLATION SELECT COMMITTEE, in exercise of the powers conferred on the States by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994^a and on the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948^b, and all other powers enabling the States in that behalf, hereby orders:-

Amendment of Libya (Restrictive Measures) (Guernsey) Ordinance, 2011.

1. (1) The Libya (Restrictive Measures) (Guernsey) Ordinance, 2011^c ("**the Ordinance**") is amended as follows.

(2) In section 1(2) of the Ordinance, delete "4a,".

(3) For section 2 of the Ordinance, substitute the following section -

"Modification of Regulation.

2. The EU Regulation in its application to Guernsey is modified as follows -

(a) Articles 1(g) and 18 shall not apply,

^a Ordres en Conseil Vol. XXXV(1), p. 65.

^b Ordres en Conseil Vol. XIII, p.288; there are amendments not material to this Ordinance.

^c Ordinance Nos. XII and XIV of 2011; amended by the Libya (Restrictive Measures) (Guernsey) (Amendment) (No.2) Ordinance, 2011 made by the States Legislation Select Committee on 17th May 2011.

- (b) in Article 2.4, for "the competent authorities in the Member States as listed in Annex IV" substitute "the States of Guernsey Policy Council ("the Policy Council")",
- (c) in Article 3.3, for "the competent authorities in the Member States, as listed in Annex IV," substitute "the Policy Council",
- (d) in Article 4 -
 - (i) for "the customs territory of the Union" substitute "Guernsey",
 - (ii) immediately after "(EEC) No 2454/93 laying down provisions for the implementation thereof", insert "and under or in accordance with the provisions of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 and any other enactment for the time being in force in Guernsey relating to customs or, as the case may be, excise", and
 - (iii) for "the competent customs authorities of the Member State concerned" substitute "the Chief Officer of Customs and Excise for the time being appointed

by the Policy Council in accordance with section 1(1) of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972",

- (e) in Article 4b, in paragraph 1, any reference to the Union shall be construed as including Guernsey,
- (f) in Article 7.1, for "the competent authorities in the Member States, as identified on the websites listed in Annex IV," substitute "the Policy Council",
- (g) in Articles 7.2, 8b.1 and 8b.2, for "the competent authorities of the Member States, as indicated on the websites listed in Annex IV," substitute "the Policy Council",
- (h) in Articles 8 and 8a, for "the competent authorities in the Member States, as listed in Annex IV," substitute "the Policy Council",
- (i) in Article 7.2(b) -
 - (i) for "the competent authority" substitute "the Policy Council", and
 - (ii) for "the other competent

authorities of the Member States and to the Commission at least two weeks before the authorisation" substitute "one of Her Majesty's Principal Secretaries of State",

(j) in Article 8(d), for "the Member State concerned" substitute "Guernsey",

(k) in Articles 7, 8, 8a, 8b and 10, references to the obligation of a Member State to inform or notify shall be construed as references to the obligation of the Policy Council,

(l) in Articles 8(f) and 8a, for "the other Member States and the Commission" substitute "one of Her Majesty's Principal Secretaries of State",

(m) for Articles 8b.1(d) and (e), substitute -

"(d) the Policy Council has consulted in advance with one of Her Majesty's Principal Secretaries of State about the use of such funds or economic resources; and

(e) the Policy Council has shared with one of Her Majesty's Principal Secretaries of State the notifications submitted

pursuant to points (b) and (c) of this paragraph and the Principal Secretary in question has not objected to the release of such funds or economic resources.",

(n) in Article 8b.2.(a), for "the competent authority concerned" substitute "the Policy Council",

(o) in Article 9 -

(i) for "the Union" substitute "Guernsey",
and

(ii) for "the relevant competent authority" substitute "the Policy Council",

(p) in Article 10 -

(i) for "the competent authorities of the Member States, as indicated on the websites listed in Annex IV" substitute "the Policy Council",

(ii) in paragraph (a), for "the competent authority concerned" substitute "the Policy Council", and

(iii) in paragraph (c), for ", at least two weeks prior to the grant of the

authorisation, notified the other Member States and the Commission" substitute "notified one of Her Majesty's Principal Secretaries of State",

(q) in Article 12, immediately after "or any Member State" insert "or the Policy Council",

(r) in Article 13 -

(i) in paragraph 1(a), for "the competent authority in the Member State where they are resident or located, as indicated on the websites listed in Annex IV, and shall transmit such information, either directly or through the Member States, to the Commission" substitute "the Policy Council", and

(ii) in paragraph 1(b), for "that competent authority" substitute "the Policy Council", and

(s) in Article 19 -

(i) in paragraph (a), for "the territory of the Union, including its airspace" substitute "Guernsey, including its airspace and the territorial waters

adjacent thereto",

- (ii) in paragraph (b), the reference to a Member State shall be construed as including Guernsey,
- (iii) in paragraph (d), the reference to the law of a Member State shall be construed as including the law of Guernsey, and
- (iv) in paragraph (e), the reference to the Union shall be construed as including Guernsey."

(4) In section 3(1) of the Ordinance, immediately before "or 10" insert ", 8b".

Repeals.

2. The Libya (Restrictive Measures) (Guernsey) (Amendment) (No.2) Ordinance, 2011 is repealed.

Citation.

3. This Ordinance may be cited as the Libya (Restrictive Measures) (Guernsey) (Amendment) (No.3) Ordinance, 2011.

Commencement.

4. This Ordinance shall come into force on the 11th October, 2011.