

XX
1948



RESOLUTIONS

ON THE

BILLET D'ÉTAT

FRIDAY, 5th November, 1948.

ALDERNEY.

IN THE STATES
OF THE
ISLAND OF GUERNSEY.

On the 5th day of November, 1948.

Before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff,
present : Osmond Priaulx Gallienne, Esquire, Sir John Leale,
Knight, Arthur Falla, Pierre de Putron, Quartier Le Pelley,
Walter John Sarre, Esquires, Richard Henry Johns, Esquire,
O.B.E., William Robert Freake Clark, Walter John Gavey and
Ernest Francis Lainé, Esquires, Jurats.

The Very Revd. Edward L. Frossard, Rector of St. Sampson ;

The Reverend Basil J. R. Guille, Rector of St. Peter Port.

” ” Edward F. Wood, Rector of St. Saviour.

” ” Edmondson N. Greenhow, Rector of Torteval.

” ” John H. Finey, Rector of Forest.

” ” Frank G. Waterbury, Rector of the Castel.

” ” Grotius A. James, Rector of the Vale.

” ” Spencer W. Gerhold, Rector of St. Peter-in-the-Wood.

” ” Frederick W. Cogman, Rector of St. Martin.

His Majesty's Procureur.

His Majesty's Comptroller.

Monsignor T. G. Hickey	}	Delegates of St. Peter
M. W. G. Hubert	}.....{	Port Douzaine.

R. Bragg Delegate of Canton No. 1.

Ira C. Ozanne ” ” ” No. 2.

W. H. Marquis..... ” ” ” No. 3,

R. S. Mallett..... ” ” ” No. 4.

O. C. Bichard Delegate of St. Sampson.

W. A. Rihoy ” ” the Vale.

N. A. Ferbrache ” ” the Castel.

S. W. Gavey ” ” St. Saviour.

W. do Garis ” ” St. Peter-in-the-Wood

N. Brehaut ” ” Torteval.

P. C. Heaume ” ” the Forest.

C. Matthews..... ” ” St. Martin.

F. D. Martel ” ” St. Andrew.

cccliv.

Messrs. Wilfred J. Bird, Edward T. Wheadon, O.B.E., William Kilshaw, Miss Marie L. M. Randall, Messrs. Christopher J. H. Rawlinson, Percy Dorey, Cecil E. Gioquel, John Griffiths,	} Deputies for District No. 1.
Wilfred J. Corbet, Cecil A. Collas, Stephen J. Falla, Jack Hart, Albert Quevatre,	
Théophile Le M. Allez, Clifford H. Moullin,	} " " No. 3.
Bertram Bartlett,	Deputy " No. 4.
Raymond O. Falla	" " No. 5.

His Excellency Lieutenant General Sir Philip Neame, V.C., K.B.E., C.B., D.S.O., Lieutenant Governor and Commander-in-Chief of the Island of Guernsey and its Dependencies, also present.

After the reading of the Billet (No. XX, 1948), dated the 27th day of October, 1948, issued by the Bailiff to the Members of the States.

The States deliberated and resolved as follows:—

ALDERNEY.

1.—After consideration of the Report dated the 18th October, 1948, of the Alderney Investigation Committee appointed by the States on the 21st July, 1948, to assume financial and administrative responsibility for the following Alderney Services:—

Police
Education
Maintenance of Airfield
Immigration
Main Roads and Main Sewerage
Social Services
Health Services
Water Supply

and will assume responsibility for the cost of Subsidies on Food in Alderney, the whole subject to the conditions that:

ccclv.

- (a) all Guernsey scales of taxation, including Duties and Water Rate (with such minor exceptions or adjustments as may be equitable and be agreed between Guernsey and Alderney) shall apply to Alderney and that the proceeds thereof shall accrue to the States of Guernsey:
 - (b) Alderney shall retain the product of the local Occupiers' Rate, to be levied in that Island annually on a scale equivalent to the average of the Guernsey Parochial Occupiers' Rates (excluding that of St. Peter Port) and of Gun and Dog Licences issued in Alderney, for the purpose of helping to finance the local services for which Alderney will remain responsible and that, subject to an examination of the position by representatives of both Islands annually prior to the preparation of the Guernsey Budget, additional sums as may be found to be reasonably necessary to maintain those services efficiently, shall be included in the said Budget and, subject to Budget Rules, to the extent to which the same are voted by the States of Guernsey, shall be available accordingly.
2. To cancel paragraph (b) of the Condition attaching to their Resolution XII 1. of the 21st July, 1948.
3. In relation to the Supply of Water in Alderney to approve—
- (1) that, during an initial period of five years, any deficits or profits arising from the Alderney undertaking should be met out of, or paid into, the General Revenue of the States of Guernsey and that before the end of that period the position as between such General Revenue and the States Water Board should be reviewed ;
 - (2) that in the extension to Alderney of the Guernsey Water Supply Law of 1927, the provisions of Article 9 of that Law (which require the States Water Board, on a requisition accompanied by an undertaking to pay, over a period of three years, 30% of the cost of the work or the appropriate water rate, whichever is the greater, to extend or lay and fix pipes and apparatus for the supply of water to the properties of the requisitionists and to supply water thereto, which provisions have been in abeyance in Guernsey since the 26th November, 1938) shall not be so extended.
- 4: That, if the States of Alderney so request,—
- (a) the States of Guernsey Cadastre Committee shall undertake responsibility for the assessment in Alderney for rateable purposes of public utility undertakings and farm land and such other properties as shall not have been assessed ; and
 - (b) that Committee, pending the establishment in Alderney of permanent machinery in that behalf, shall undertake the periodical rectification of the Alderney Cadastre and shall, sitting in Alderney with an additional member appointed by Alderney, hear and determine, subject to an appeal to the Royal Court of Guernsey sitting as an Ordinary Court, complaints by any proprietor, usufructuary or occupier of any property as to any incorrectness or unfairness in the Alderney Cadastre concerning that property whereby he is prejudiced.

5. Subject to the acquiescence of the States of Alderney—
 - (a) that two seats in the Guernsey States of Deliberation shall be allocated to Alderney representatives ;
 - (b) that four seats in the Guernsey States of Election shall be allocated to Alderney representatives as respects the election of Conseillers ;
 - (c) that such representatives be chosen in such manner and for such period as shall be determined by Alderney from time to time ;
 - (d) that the States Board of Administration be empowered to refund to such Alderney representatives their reasonable out-of-pocket expenses in relation to attendances in Guernsey at Meetings of the States of Deliberation and of Election and at meetings of Committees of the States of Guernsey.

6. Subject to the acquiescence of the States of Alderney,—
 - (a) that a Joint Guernsey-Alderney Advisory Council be set up consisting of three members of the States of Guernsey and three members of the States of Alderney ;
 - (b) that this Council meet, so far as possible, alternately in Guernsey and in Alderney under a Chairman elected from the members of the Island in which the Council is meeting ;
 - (c) that this Council shall have no executive functions but shall keep a watchful eye on Alderney matters and shall act as liaison between the States of Guernsey and the States of Alderney ;
 - (d) that the Guernsey members of this Council shall hold office as from the date on which the States of Guernsey take over the Services proposed to be transferred ;
 - (e) that such Guernsey members shall hold office for six years save that, of the original members, one shall retire at the end of two years and one at the end of four years ;
 - (f) that the order of retirement of such Guernsey members shall be determined by them, or failing agreement, by lot ;
 - (g) that a member elected to fill a casual vacancy shall hold office during the unexpired portion of the term of office of his predecessor.

7. That the duties to be undertaken by representatives of Guernsey under Condition (b) attaching to Resolution 1 be performed by the Guernsey members of the Joint Guernsey-Alderney Advisory Council.

8. That, as regards legislation by Alderney on matters reserved to that Island—
 - (a) no Projet de Loi involving additional expenditure should be submitted to the Privy Council, unless it has the approval of Guernsey ;
 - (b) no new Ordinance should be enacted which involves expenditure of public funds without the approval of the States of Guernsey ;
 - (c) no Projet de Loi impinging on services to be taken over by Guernsey should be submitted to the Privy Council unless it has the approval of Guernsey ;

(d) Projets de Loi passed by Alderney shall be examined in future by the States of Guernsey Legislation Committee instead of by the Royal Court.

9. Subject to provisions similar to those contained in Condition (b) to Resolution 1, to accept such liability as may arise out of the transfer to Alderney of the Crown Revenues (excluding Tithes) and other Crown property in Alderney and of responsibility for the upkeep and maintenance of the Alderney Harbour (excluding the Breakwater) and for other expenditure of a nature hitherto borne out of the Crown Revenues in Alderney, in so far as such Crown Revenues and other revenue at the disposal of Alderney are insufficient to meet such expenditure.

10. That Duty on Goods (Wharfage) shall not be levied in Alderney on goods landed in that Island but that where Duty on Goods, the refund whereof is not claimable by merchants, is charged in Guernsey on goods subsequently re-exported to Alderney, such Duty shall be retained for the account of the States of Guernsey.

11. That, if the States of Alderney so request, service with the States of Alderney after January 1st, 1949, shall rank for the purposes of Pensions as service with the States of Guernsey and that, if a Law Officer (however styled) be appointed in Alderney, his minimum rate of pension, annual increments and maximum pension shall all bear the same proportion to his maximum salary as the minimum rate of pension, annual increments and maximum pension of H.M. Comptroller in Guernsey bear to his maximum salary and that his pension be subject to the same conditions as are the pensions of the Law Officers in Guernsey, i.e. (1) attainment of 60 years of age; and (2) the holding of office for not less than 15 years.

12. That the date on which the States of Guernsey shall assume administrative and financial responsibility for services transferred by the States of Alderney to the States of Guernsey and otherwise as aforesaid and on and after which Guernsey scales of taxation shall apply in Alderney shall be the 1st January, 1949.

13. That the States Board of Administration be authorised to engage such staff as they may deem advisable for service in Alderney on or after the 1st December, 1948.

14. To request the Royal Court to prepare such legislation as they may deem necessary to give effect to the decisions of the States on the foregoing matters and in particular for the extension to Alderney, with such modifications as may be appropriate, of the Laws and Ordinances in force in Guernsey in relation to Taxation and to the subjects as respects which financial and administrative responsibility is to be undertaken by the States of Guernsey and for the repeal of such Alderney legislation as may be inconsistent therewith.

JAMES E. LE PAGE,
H.M. Greffier.

A. J. SHERWILL,
Bailiff.