

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## The Glasshouse Control (Guernsey) Law, 1965

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(Registered on the Records of the Island of Guernsey  
on the 4th day of October, 1965.)

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# ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 4th day of October, 1965, before Sir William Arnold, Kt., C.B.E., C. St. J., Bailiff; present :—  
Sir John Leale, Théophile Le Messurier Allez,  
Bertram Guy Blampied, Stanley Walter Gavey,  
Carl Edward Blad, Albert Victor Dorey,  
Esquires, Laurence Francis de Vic Carey,  
Esquire, C.B., C.B.E., D'Arcy George Le Tissier,  
and William Burton Fox, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 3rd day of August, 1965, ratifying a *Projet de Loi* entitled "The Glasshouse Control (Guernsey) Law, 1965", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

## At the Court at Buckingham Palace

The 3rd day of August, 1965.

PRESENT,

### The Queen's Most Excellent Majesty.

LORD PRESIDENT  
LORD RITCHIE OF DUNDEE  
LORD SHEPHERD  
MR. FRASER  
MISS HERBISON

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 26th day of July, 1965, 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 the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1. That, in pursuance of their Resolution of the 31st day of July, 1963, the States of Deliberation at a meeting held on the 28th day of April, 1965, approved a Bill or “Projet de Loi” entitled “The Glasshouse Control (Guernsey) Law, 1965” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures 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 Bill or “Projet de Loi” of the States of

Guernsey entitled "The Glasshouse Control (Guernsey) Law, 1965" and to order that the same shall have force of law in the Islands of Guernsey and Herm.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi 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, as it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey and Herm.

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, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*W. G. Agnew.*

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

**PROJET DE LOI**

ENTITLED

**The Glasshouse Control (Guernsey) Law,  
1965**

THE STATES, in pursuance of their Resolution of the thirty-first day of July, nineteen hundred and sixty-three, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey and Herm.

Control of  
erection,  
etc. of  
glasshouses.

1. (1) The States may, from time to time by Ordinance, make such provisions as they may deem necessary or expedient for regulating or prohibiting the erection or replacement of, or extensions to, glasshouses in this Island and, without prejudice to the generality of the foregoing, they may, from time to time, by Ordinance, in particular, provide for all or any of the following matters:—

- (a) empowering the Committee to exercise such powers and perform such duties as may be conferred or imposed upon it by any such Ordinance;
- (b) the grant, renewal and cancellation of permits for the erection or replacement of, or extensions to, glasshouses;
- (c) the entry into, and inspection of, any premises for any purpose connected with the exercise of any power conferred or the performance of any duty imposed by the provisions of any such Ordinance;

- (d) such incidental and supplementary matters for which the States deem it necessary or expedient for the purposes of any such Ordinance to provide.

(2) Any Ordinance made under the provisions of this section may make different provisions for different classes of persons and permits and may make different provisions for different categories of persons and permits within those classes.

2. Where the Committee decides to refuse to grant or renew or to cancel any permit in pursuance of the provisions of any Ordinance made under the provisions of section one of this Law notice in writing of the decision setting out the reasons therefor and signed by the President of the Committee shall be served, as soon as may be after the date of such decision, on the applicant for the permit or the holder of the permit, as the case may be. Notice of refusal, etc.

3. (1) Any person aggrieved by any decision of the Committee in pursuance of the provisions of any Ordinance made under section one of this Law may, within three months after service on him of a notice under the provisions of the last preceding section, appeal to the Royal Court sitting as a Full Court on the grounds that the decision of the Committee was an unreasonable exercise of its powers. Appeals.

(2) An appeal under this section shall be instituted by way of summons served on the President of the Committee to show cause why the decision appealed from should not be set aside or varied and such summons shall set out the material facts upon which the appellant relies.

4. Any permit granted under or by virtue of the provisions of any enactment repealed by this Law Savings.

and valid immediately before the coming into force of this Law shall be deemed to have effect as though it were a permit granted under the provisions of an Ordinance made in pursuance of the provisions of section one of this Law and any conditions attached thereto were conditions attached under the provisions of such Ordinance.

Service of notices.

5. Any notice which may be served for the purposes of this Law or any Ordinance made hereunder shall be validly served—

- (a) on any person, if delivered to him, left, or sent by registered post or by recorded delivery service to him, at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm, or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;
- (c) on any body corporate, if left at, or sent by registered post or by recorded delivery service to, its registered office if situate in this Island or, if its registered office is not so situate, its principal or last known principal place of business in this Island.

Penalties.

6. The States may from time to time by Ordinance prescribe the penalties which shall be incurred by any person guilty of an offence under any Ordinance made under the provisions of this Law and different penalties may be prescribed for different offences.

Interpretation.

7. In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Committee” means the States Committee for Horticulture;

“glasshouse” includes any structure which would be a glasshouse were it not for the fact that in the construction thereof translucent material other than glass is used instead of glass but does not include any conservatory the area of which does not exceed one thousand square feet and which is adjacent to and is intended for use and is used otherwise than for profit in connection with a dwelling house;

“this Island” includes the Island of Herm.

8. The Laws set out in the left hand column of the Schedule to this Law are hereby repealed to the extent set out in the right hand column of that Schedule. Repeals.

9. This Law may be cited as the Glasshouse Control (Guernsey) Law, 1965. Citation.

10. This Law shall come into force on such date as the States may by Ordinance appoint. Commencement.

## SCHEDULE

## REPEALS

Enactments repealed	Extent of repeal
The Glasshouse Control Law, 1936	The whole Law
The Glasshouse Control (Amendment) Law, 1952	The whole Law
The Glasshouse Control (Amendment) Law, 1956	The whole Law
The Glasshouse Control (Amendment) Law, 1960	Sections six and seven
The Glasshouse Control (Amendment) Law, 1961	The whole Law

R. H. VIDELO,

Her Majesty's Greffier.