

# PROJET DE LOI

ENTITLED

## **The Alderney Land and Property, &c., Law, 1949** \*

[CONSOLIDATED TEXT]

### NOTE

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Ordres en Conseil Vol. XIV, p. 67; as amended by the Government of Alderney Law, 1948 (Ordres en Conseil Vol. XIII, p. 416); the Government of Alderney (Amendment) Law, 1955 (Ordres en Conseil Vol. XVI, p. 202); the Alderney Land and Property, etc. (Amendment) Law, 1984 (Ordres en Conseil Vol. XXVIII, p. 576); the Compulsory Purchase (Alderney) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 156); the Uniform Scale of Fines (Alderney) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 306); the Duty on Long Leases (Alderney) Law, 1994 (No. VII of 1994, Ordres en Conseil Vol. XXXV(1), p. 171); the Alderney Land and Property (Amendment) Law, 2002 (No. VI of 2003, Ordres en Conseil Vol. XLIII, p. 152); the Retrait Lignager (Abolition) (Alderney) Law, 2015 (No. XIII of 2015); the Inheritance (Alderney) Law, 2015 (No. XII of 2015). See also the Alderney Land and Property (Transitional Provisions) Law, 1952 (Ordres en Conseil Vol. XV, p. 268); the Adoption (Guernsey) Law, 1960 (Ordres en Conseil Vol. XVIII, p. 192); the Adoption (Guernsey) Law, 1966 (Ordres en Conseil Vol. XX, p. 262); the Government of Alderney Law, 2004 (No. III of 2005); the Alderney (Application of Legislation) (Adoption) Ordinance, 1974 (Recueil d'Ordonnances Tome XIX, p. 247).

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## **The Alderney Land and Property, &c., Law, 1949**

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# PROJET DE LOI

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## The Alderney Land and Property, &c., Law, 1949

PART I

ARRANGEMENT, INTERPRETATION AND CITATION

### Arrangement of Parts.

1. This law is divided into Parts as follows –
  - I. Interpretation, &c.
  - II. Rebounding of Land.
  - III. The Alderney Land Register.
  - IV. Rehabilitation of Damaged Property.
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### NOTE

*The following cases have referred to this Law:*

*Bohan & Williams v. Bithell & Bithell* (2014) (Unreported, Royal Court, 19th November) (Guernsey Judgment No. 45/2014);

*B. Noone and D. Noone v J. Hamon and M. Mullins and M. Manley and D. Gillingham JR and L. Millan and Odeon Heights Limited* [2025]GRC051 (Unreported, Royal Court, 20th June).

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**Interpretation.**

2. (1) In this law unless the context otherwise requires words and expressions which are defined in section two of the Government of Alderney Law, 1948, or in this section have the meanings respectively assigned to them by that section or this section as the case may be, and in particular –

"**charge**" means an *obligation, rente*, or other charge issuing out of or affecting or intended to issue out of or affect land,

"**Commissioner**" means a Land Commissioner appointed under Part II or a Commissioner appointed under Part VI of this law,

"**the Register**" means the Alderney Land Register established under Part III of this law, and "**the Registrar**" means the Land Registrar acting thereunder,

"**registered interest**" means an interest of which the ownership is vested in accordance with section fourteen or shown in the Register in accordance with section sixteen of this law, and "registered charge" means a charge so vested or a charge registered in accordance with section eighteen of this law,

"**vested**" and "**contingent**" when used in relation to a right of dower or of *franc veuvage* denote respectively the position after the death and during the lifetime of the spouse upon whose death the right becomes exercisable, and

words importing the masculine gender include the feminine.

(2) For the purposes of Parts II and III of this law a reference to a

person as "**owner**" of an interest in land shall be deemed to include a person who holds land in freehold tenure, or holds a lease of land granted for a period not less than twenty-one years, or for a period renewable at his option so as to extend to a period not less than twenty-one years, or is entitled to a *rente* issuing out of land, or is entitled to a charge enforceable against land, whether or not it secures a *rente*, and the expression "**ownership**" shall be construed accordingly.

(3) For the purposes of Parts IV and V of this Law a person shall be deemed owner of a building if he holds the land comprising the building in freehold tenure, or if he holds a lease of that land granted for a period not less than twenty-one years or for a period renewable at his option so as to extend to a period not less than twenty-one years, of either of which periods of not less than twenty-one years there were on the first day of January one thousand nine hundred and forty-nine not less than seven years unexpired, or if he holds a lease of that land granted on or after the said first day of January for a period not less than twenty-one years or for a period renewable at his option so as to extend to a period not less than twenty-one years, and the expression "**ownership**" shall be construed accordingly.

(4) If rules of court provide for the Register to be kept upon the loose-leaf system, consisting of a sheet or sheets for each separate property, references to the Register shall where the context so requires include the sheet or sheets for a particular property.

(5) References to the Register or to entries in the Register include where the context so requires plans annexed to the Register or to the sheet or sheets for a particular property.

(6) References in connexion with the Register to a change of ownership include where the context so requires the coming into existence of an interest which by virtue of subsection (2) of this section is deemed ownership, notwithstanding the existence of another ownership or other ownerships in the same

land.

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**NOTES**

*In accordance with the provisions of the Government of Alderney Law, 2004, section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(a), with effect from that same date, the functions of the Greffier include those functions (other than those specified in section 15(a) of the 2004 Law) which it was, immediately before 8th March 1949, the duty of the Greffier to perform and which are not assigned by law to any other person.*

*The Government of Alderney Law, 1948 has since been repealed by the Government of Alderney Law, 1987, section 63(1), Schedule 3, with effect from 1st August 1987, subject to the savings and transitional provisions in section 63 and section 64 of the 1987 Law. The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

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**Citation.**

3. This law may be cited as the Alderney Land and Property, &c., Law, 1949.

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**NOTE**

*The Law received Royal Sanction on 29th April, 1949 and was registered on the Records of the Island of Guernsey and came into force in the Island of Alderney on 28th May, 1949.*

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PART II  
REBOUNDING OF LAND

**Appointment and sittings of Commissioner.**

4. (1) It shall be lawful for the Secretary of State to appoint a person as Land Commissioner for the purpose of delimiting the boundaries of land in

Alderney.

(2) The Commissioner shall as soon as may be after his appointment give publicly in Alderney, and publish in at least one London daily newspaper and in a newspaper published in Jersey and in a newspaper published in Guernsey which circulates in Alderney, notice of the date when he will begin his sittings, and on and from that date shall sit publicly in Alderney as often as is necessary for the purpose of receiving claims and taking evidence until he has completed awards in respect of all the land in Alderney.

**Claims to land, etc.**

5. Claims may be made to the Commissioner in pursuance of this Part of this law –

- (a) by a person in respect of ownership or in respect of the boundaries of land as existing at the time when the claim is made, and
- (b) by a person claiming under heading (a) who for the purpose of ensuring the more effective use of land by the consolidation of scattered holdings or otherwise desires that the boundaries of land shall be rearranged or altered, or that by agreement between himself and other owners there may be an exchange of lands.

**Evidence.**

6. (1) The evidence which the Commissioner receives may be documentary or oral and no rules concerning the admissibility of evidence shall oblige him to exclude evidence which he considers material but, upon the written request of a person who declares himself aggrieved by the admission of or refusal to admit any evidence tendered to the Commissioner, the Commissioner shall state a

case for decision by the Court upon the admissibility of such evidence and the decision of the Court upon a case so stated shall be final.

(2) The Commissioner shall have power to administer an oath, and to require a person claiming to be an owner to take an oath in support of the matters in his claim, and in particular to state his identity on oath or to prove his identity by the oaths of witnesses or by documentary evidence, and to state on oath whether to his knowledge the land is subject to any charge, and whether there is in existence any person who has a vested or contingent right to dower or a vested right to *franc veuvage* out of the land or any tenancy of the land or any part thereof, and the name of every person known to the person claiming to be entitled to a charge or tenancy and the date when the charge was effected or the marriage took place or the tenancy began.

**Scope of awards.**

7. (1) The Commissioner shall upon every claim submitted to him under heading (a) in section five of this law make an award –

- (1) naming the person whom he finds to be the owner of the subject matter of the claim, and
- (2) in case of a claim to a freehold or leasehold describing the boundaries of the land affected,

and shall annex to the award a plan delimiting the land to which the award relates.

(2) If an award for the purpose of ensuring the more effective use of land re-arranges or alters a boundary or consolidates holdings the Commissioner shall annex to the award a statement of the compensation, if any, to be paid and the persons to whom and by whom it is to be paid and within what period:

Provided that no such statement shall require payment of compensation at the cost of the revenue of Alderney unless the award so far as concerns that part of it which gives rise to compensation is, in pursuance of this law, made in favour of the States.

(3) A plan annexed to an award in pursuance of subsection (1) of this section shall be deemed to be, and a statement annexed to an award in pursuance of subsection (2) of this section shall not be deemed to be, part of the award for the purposes of so much of this law as requires registration of awards.

(4) A charge not amounting to ownership of land, an easement over land and a profit arising out of land, and a tenancy not amounting to ownership of land, shall not be impliedly extinguished by an award made under this law but unless expressly extinguished by an award as a consequence of other provisions thereof shall continue to apply to the same land, and in case of appendant or appurtenant rights shall remain appendant or appurtenant to the same land, notwithstanding the effect of an award upon ownership, and a personal right collateral to a right mentioned in this subsection shall continue as if this law had not been made.

(5) All public rights in or over land shall continue to apply to the same land, notwithstanding the effect of an award upon ownership.

(6) In this section the expression "**compensation**" includes both pecuniary compensation and compensation by awarding the ownership of an interest in land or a charge and where pecuniary compensation is awarded the Commissioner may provide in his award for the payment of such compensation in a lump sum or by instalments and for payments to be secured by a charge enforceable against land to which the award applies without the necessity of a conveyance or other document apart from the award.

**Awards to the States.**

8. In respect of any freehold interest in land to which –
- (a) no claim is made within a period determined by the Secretary of State and embodied in the notice published by the Commissioner, or
  - (b) no claim is established to the satisfaction of the Commissioner or of the Court upon appeal,

the Commissioner shall make an award with a plan annexed in accordance with section seven of this law, based upon such evidence as he can secure of the boundaries of and title to the land, and if he is not satisfied in regard to the title to the said interest shall award the ownership thereof to the States.

**[Power of Registrar in relation to non-awarded land.]**

8A. (1) This section applies where the Commissioner has failed to make an award (whether to the States or to any other person) in respect of the ownership of a freehold interest in land in accordance with the requirements of section 8.

- (2) Where this section applies –
- (a) the Commissioner shall be deemed, in respect of the freehold interest concerned, and in exercise of his powers under section 8, to have awarded ownership of the interest to the States, and
  - (b) accordingly, the Registrar shall make such entries in the Register as are necessary to give effect to such award.
- (3) The Commissioner shall be deemed, for the purposes of this

section, to have failed to make an award in respect of the ownership of a freehold interest in land in accordance with the requirements of section 8 if, at the date of commencement of the Alderney Land and Property (Amendment) Law, 2002, the ownership of that interest has not been awarded to any person (which shall be considered to be the case if no person has been entered in the Register as the owner thereof).

(4) The provisions of section 14(1) shall apply in relation to an award deemed to have been made pursuant to subsection (2)(a) as if the words "other than the States" were omitted; and the provisions of section 14(2) shall not apply thereto.

(5) The provisions of this section are without prejudice to the provisions of section 25 ("rectification").]

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**NOTE**

*Section 8A was inserted by the Alderney Land and Property (Amendment) Law, 2002, section 1, with effect from 14th April, 2003.*

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**Objections to awards.**

9. (1) When the Commissioner has completed awards in respect of so much land as in his opinion may conveniently be dealt with under this section, and so on from time to time until he has dealt with all land in Alderney, he shall cause public notice to be given of the place in Alderney where the awards and plans and statements annexed thereto may be inspected, and any person aggrieved by an award may lodge an objection with the Court within such period as the Secretary of State shall fix, and shall at the same time give written notice of his objection to the Commissioner.

(2) The Commissioner shall thereupon give written notice to every

other person whose title to ownership may in his opinion be affected by the objection or who may in his opinion become liable to pay or entitled to receive compensation under an award relating to ownership which is the subject of the objection.

(3) On the lodging with the Court of an objection the Court shall give to the objector and to the Commissioner notice of the date upon which it will proceed to determine the objection, and the objector and the Commissioner and every person to whom notice is by this section required to be given by the Commissioner shall be entitled to be heard by the Court in accordance with rules of court.

(4) If the Court considers that an objection is well founded it may amend the award or the plan annexed thereto or may substitute a new award or plan.

**Deposit of awards with Court.**

**10.** As soon as possible after the expiry of the period appointed for the lodging of objections or after the decision of the Court on an objection as the case may be, awards to which no objection has been made and awards upon which an objection has been determined by the Court together with the plans annexed thereto shall be lodged by the Commissioner with the Clerk of the Court.

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**NOTE**

*In accordance with the provisions of the Government of Alderney Law, 2004, section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(e)(i), with effect from that same date, the functions of the Greffier include the functions assigned by law to the Clerk of the Court, including the functions of Land Registrar under this Law.*

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**Late Claims.**

**11.** (1) If upon an application made within two years from the date of the award a person satisfies the Court –

- (a) that an interest in land or in a charge which has been awarded to another person or to the States under this law was on the day before the date of the award vested in him for an interest or charge equal to or greater than the interest or charge so awarded, and
- (b) that –
  - (i) because he was absent from Alderney when the notice first mentioned in this law was published by the Commissioner, and did not become aware of the publication of that notice until after the expiry of the period fixed by the Secretary of State for lodging objections, or
  - (ii) for some other reason approved by the Court,

he was unable to submit a claim to the Commissioner or to lodge an objection, the Court after giving the other person or the States as the case may be an opportunity to be heard in accordance with rules of court may order that the ownership be divested from the States or other person and vested in the person first mentioned in this section. Any such order shall take effect as a disposition of the ownership without the necessity of a conveyance, and shall be dealt with by the Registrar accordingly.

(2) The validity of an award shall not after the award is made be questioned in any legal proceedings upon the ground that the Commissioner has omitted to give any notice which by this law he is required to give, or has not received evidence from or on behalf of any person.

**Costs of awards.**

**12.** (1) The expenses other than those defrayed by His Majesty's

Government which are incurred by the Commissioner in preparing his awards and in appearing or being represented in accordance with this law before the Court or before the Royal Court shall be taxed and defrayed from the revenue of Alderney in such manner as the said Court directs, and no fee shall be required from claimants in respect of their having made a claim, or charged by the Registrar in respect of registering an award.

(2) Costs incurred by a person other than the Commissioner in any proceedings before the Court or the Royal Court arising out of an award shall be defrayed as directed by the said Court, but if no direction is given shall be defrayed in accordance with subsection (1) of this section.

### PART III

#### THE ALDERNEY LAND REGISTER

##### **Formation of Register.**

**13.** (1) The Clerk shall compile a register of awards lodged with him in pursuance of section ten of this law, as they are so lodged, and shall thereafter maintain it, with such new entries as are necessary to constitute a permanent register of ownership.

(2) The said register shall be styled the Alderney Land Register, and in relation thereto the Clerk of the Court shall be styled Land Registrar.

(3) The Register shall be in such form as the Court by rules directs:

Provided that the rules shall ensure –

- (i) that ownership is distinguished from interests less than ownership, and

- (ii) that there is a nominal index of owners and an index to properties by reference to a map.

(4) The Registrar shall comply with any directions of the Court in regard to employing a surveyor or a competent draftsman in the compilation and maintenance of the Register, and providing a strong room or otherwise ensuring the safety of the register.

(5) The necessary expenses of compiling and maintaining the Register shall be part of the expenses of the Court and section twenty-six of the Government of Alderney Law, 1948, shall apply to those expenses as it applies to the expenses of administering justice.

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**NOTES**

*In accordance with the provisions of the Alderney Land and Property (Transitional Provisions) Law, 1952, section 2, with effect from 20th June, 1952, the "record", as defined in section 1 of the 1952 Law, shall have, pending the compilation, in pursuance of this section, of the Alderney Land Register as respects any particular land situate in the Island of Alderney, the same force as if the record were contained in entries in the Alderney Land Register in pursuance of this Law.*

*In accordance with the provisions of the Alderney Land and Property (Transitional Provisions) Law, 1952, section 3, with effect from 20th June, 1952, pending entry in the Alderney Land Register of an award in respect of land against which an obligation having come or hereafter coming into existence by virtue of section 29 of this Law is enforceable, the recording by the Land Registrar at the Alderney Greffe of such obligation in such reasonable manner as he shall deem proper shall as from the date of such recording, constitute registration of that obligation in the Alderney Land Register, and subsection (2) of this section shall have effect and be deemed always to have had effect accordingly.*

*In accordance with the provisions of the Government of Alderney Law, 2004, section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(e)(i), with effect from that same date, the functions of the Greffier include the functions assigned by law to the Clerk of*

*the Court, including the functions of Land Registrar under this Law.*

*The Government of Alderney Law, 1948 has since been repealed by the Government of Alderney Law, 1987, section 63(1), Schedule 3, with effect from 1st August 1987, subject to the savings and transitional provisions in section 63 and section 64 of the 1987 Law. The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

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**Vesting upon first registration.**

14. (1) An interest or charge awarded to a person other than the States in pursuance of this law shall vest in that person as soon as the award is registered, without the necessity of a conveyance.

(2) An interest awarded to the States in pursuance of this law –

(a) shall vest in the States as soon as the award is registered without the necessity of a conveyance, but until the expiry of two years from the date of the award shall be registered in a section of the Register separate from the land of other owners,

(b) shall not before the expiry of the said period be alienable by the States, but this enactment shall not preclude the States from letting land for a term not extending beyond that date, and an agreement for a letting in accordance with this paragraph shall not be invalidated by proceedings successfully taken against the States under section eleven of this law.

**Inspection of Register.**

15. (1) The Register shall be open to inspection by any person upon

his paying an inspection fee determined by rules made by the Court.

(2) The right of inspection does not include a right of copying or taking extracts.

(3) A person inspecting the Register shall be entitled upon his paying a fee determined by rules made by the Court to receive an extract from the Register, certified by the Registrar as correct.

**Changes in Register.**

**16.** (1) When the Clerk has in accordance with subsection (1) of section thirteen of this law compiled so much of the Register as relates to an owner's interest, no change of ownership shall be effective until the Register has been altered to show the effect of the change.

(2) Where after so much of the Register as relates to an owner's interest has been compiled as aforesaid a person desires in pursuance of an agreement made on or after the day on which this law is registered on the records of the Island of Alderney, or in consequence of the death of an owner, to give effect upon the Register to a change of ownership the Registrar upon payment to him of the proper fee shall so alter the Register as to show the change –

- (a) in any case if so directed by the Court or on appeal by the Royal Court, or
- (b) in case of an agreement, upon written application made by one of the parties to the agreement, or upon written or oral application made jointly by those parties, and upon the production if he so requires of evidence of the agreement, or

- (c) in case of death where the owner has made a will which deals with the said interest, upon application made either by the legal personal representative or by the person to whom the interest to which the application relates has passed under the will and upon the production of the will duly proved, [...] or
- (d) in case of intestacy, upon application made to him by the person in whom has beneficially vested the interest in respect of which the application is made[...] and production to him of evidence which he considers satisfactory of that person's right to have a change made in the Register.

(3) ...

(4) Rules may be made by the Court fixing the manner in which alterations shall be made in pursuance of this section, the nature of the evidence which the Registrar may accept as *prima facie* satisfactory in any class of case, the form of certificate to be given by the Registrar showing that such an alteration has been made, and the fees to be charged for the alteration and certificate.

(5) In this section the expression "**the proper fee**" means the fee fixed by rules under the next foregoing subsection, together with –

- [(a) an amount equal to four per centum or such lower per centum as the States may, from time to time, by Ordinance, determine, of either –
  - (i) the consideration for the change of ownership of the real property concerned, or

- (ii) if a consideration is given for that change of ownership which is less than four hundred times the rateable value of that real property, four hundred times the rateable value of that real property, and]
- (b) any further sum by way of fee or duty upon changes of ownership which may from time to time be lawfully chargeable.

[ (6) Any amount paid in accordance with the provisions of paragraph (a) of the last preceding subsection shall be in substitution for the amount of any *treizième* which, but for the provisions of this subsection, would otherwise be payable to the Crown Receiver in respect of the change of ownership of the real property concerned.

(7) In this section and in section sixteen A, "**rateable value**" means the rateable value assessed in accordance with the Alderney Rateable Values Assessment Ordinance, 1949\*.]

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**NOTES**

*In section 16,*

*the words omitted in square brackets in, first, paragraph (c) and second, paragraph (d) of subsection (2) were repealed and, third, subsection (3) was repealed by the Inheritance (Alderney) Law, 2015, section 57(f), respectively sub-paragraph (i), sub-paragraph (ii) and sub-paragraph (iii), with effect from 16th December, 2015;*

*paragraph (a) of subsection (5) was substituted, and subsection (6) and subsection (7) were inserted, by the Alderney Land and Property, etc.*

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\* Recueil d'Ordonnances Tome X, p. 1.

*(Amendment) Law, 1984, respectively section 1(a) and section 1(b), with effect from 1st May, 1985.*

*The following Ordinances have been made under section 16:*

*Alderney Congé Fee (Amendment) Ordinance, 1983;  
Alderney Congé Fee Ordinance, 2003;  
Alderney Congé Fee (Amendment) Ordinance, 2022.*

*The following case has referred to section 16:*

*Pirito v. Curth [2002] GLR N-8.*

*The Alderney Rateable Values Assessment Ordinance, 1949 has since been repealed by the Alderney Property Tax Ordinance, 2020, section 47(1), Schedule 2, paragraph 1, with effect from 1st January, 2021.*

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**[Declaration by applicant for alteration in Register.]**

**16A.** A person applying to the Registrar pursuant to paragraph (b) of subsection (2) of section sixteen of this Law for an alteration to be made in the Register shall make a declaration in which he shall state –

- (a) the consideration given or to be given for the change of ownership of the real property transferred or to be transferred; and
- (b) if the consideration referred to in paragraph (a) is less than four hundred times the rateable value of the real property therein referred to, a sum equal to four hundred times that rateable value.]

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**NOTE**

*Section 16A was inserted by the Alderney Land and Property, etc. (Amendment) Law, 1984, section 1(c), with effect from 1st May, 1985.*

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**[False statements.]**

**16B.** (1) Any person who, in connection with an application for alteration of the Register, knowingly or recklessly makes any statement or representation which is false or misleading in a material particular, shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 2 on the Alderney uniform scale] or to imprisonment for a term not exceeding two months or to both.

(2) Any person convicted of an offence under subsection (1) shall, in addition to any penalty which may be imposed by the Court under subsection (1) in respect of that offence, be liable to pay to the States a penalty equal to three times the difference specified in subsection (3).

(3) The difference is that between the amount of the fee which would have been payable in accordance with the provisions of paragraph (a) of subsection (5) of section sixteen of this Law if the false or misleading statement or representation had been true and accurate, and the amount of the fee which was in fact so payable in respect of the application in connection with which that statement or representation was made.

(4) Any penalty to which a person is liable under subsection (2) shall be recoverable by the States as a civil debt due to the States from that person.]

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**NOTES**

*Section 16B was inserted by the Alderney Land and Property, etc. (Amendment) Law, 1984, section 1(c), with effect from 1st May, 1985.*

*In section 16B, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Alderney) Law, 1989, section 2(2), with effect from 1st October, 1989.*

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**Register to be exclusive title.**

**17.** After the date upon which an award is in pursuance of section ten of this law lodged with the Clerk of the Court no evidence of ownership or of

boundaries other than the Register shall be of any legal effect in relation to the interest to which the award relates:

Provided that this section shall not extend to proceedings under section eleven of this law.

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**NOTES**

*The following cases have referred to section 17:*

*Pirito v. Curth* [2002] GLR N-8;  
*Bohan & Williams v. Bithell & Bithell* (2014) (Unreported, Royal Court, 19th November) (Guernsey Judgment No. 45/2014).

*In accordance with the provisions of the Government of Alderney Law, 2004, section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(e)(i), with effect from that same date, the functions of the Greffier include the functions assigned by law to the Clerk of the Court, including the functions of Land Registrar under this Law.*

---

**Entry of charges and minor interests subsequently created.**

**18.** (1) After so much of the Register as relates to an owner's interest has been compiled in accordance with section thirteen of this law, a person may apply to the Registrar –

- (a) to be registered in respect of a *rente* issuing out of land or of an *obligation* enforceable against land or of a judgment for an amount certain, which *rente* or *obligation* has been created or which judgment has been obtained since the award relating to the first named interest was made in pursuance of this law, or
- (b) to have a note of an interest in land which is less than ownership made against an entry in the Register, which

note shall constitute notice of the interest so noted to all persons deriving title under the owner of the interest to which the said entry refers.

(2) If every person registered as owner of an interest which will be affected by an application made by virtue of the foregoing subsection concurs in writing in the application, or if a direction in that behalf is given by the Court by virtue of the next following subsection, the Registrar shall as the case may be [subject to the provisions of the Duty on Long Leases (Alderney) Law, 1994] register the interest or make the note to which the application relates.

(3) If the person registered as owner does not concur in writing in such an application the difference between him and the applicant shall be determined by the Court, and the Court or upon appeal the Royal Court may direct the form of entry, if any, to be made in the Register for the purpose of giving effect to the application.

(4) Rules made by the Court for the purposes of this section may make the same provisions as under subsection (4) of section sixteen of this law.

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**NOTES**

*In section 18, the words in square brackets were inserted by the Duty on Long Leases (Alderney) Law, 1994, section 18, with effect from 1st June, 1994.*

*The following case has referred to section 18:*

*B. Noone and D. Noone v J. Hamon and M. Mullins and M. Manley and D. Gillingham JR and L. Millan and Odeon Heights Limited [2025]GRC051 (Unreported, Royal Court, 20th June).*

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**Period for retraits.**

**19.** ...

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**NOTE**

*Section 19 was repealed by the Retrait Lignager (Abolition) (Alderney) Law, 2015, section 2(b), with effect from 26th November, 2015, subject to the provisions of section 1(3) of the 2015 Law.*

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**Parties to be informed of retraits.**

**20.** ...

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**NOTE**

*Section 20 was repealed by the Retrait Lignager (Abolition) (Alderney) Law, 2015, section 2(b), with effect from 26th November, 2015, subject to the provisions of section 1(3) of the 2015 Law.*

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**Powers and duties of Registrar.**

**21.** (1) The Registrar shall for the purpose of his functions as Registrar have power to administer an oath, and in particular to call upon a person whose identity is material for any purpose of this law to state his identity on oath or to prove his identity by the oaths of witnesses or by documentary evidence [...].

(2) The duties of the Clerk of the Court as Registrar shall be taken into account in the fixing of his salary, and fees paid to him in pursuance of the provisions of this Part of this law shall be accounted for by him in like manner as the fees mentioned in section twenty-five of the Government of Alderney Law, 1948.

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**NOTES**

*In section 21, the words omitted in square brackets in subsection (1) were repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(iv), with effect from 16th December, 2015.*

*In accordance with the provisions of the Government of Alderney Law, 2004,*

*section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(e)(i), with effect from that same date, the functions of the Greffier include the functions assigned by law to the Clerk of the Court, including the functions of Land Registrar under this Law.*

*The Government of Alderney Law, 1948 has since been repealed by the Government of Alderney Law, 1987, section 63(1), Schedule 3, with effect from 1st August 1987, subject to the savings and transitional provisions in section 63 and section 64 of the 1987 Law. The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

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**Directions by Court and rules of court.**

22. (1) Where doubt, dispute, or difficulty arises upon any matter affecting the Register, the Registrar or any other person interested in that matter may apply for directions to the Court, and the Registrar shall comply with directions given by the Court or on appeal by the Royal Court upon such an application.

(2) Rules of court shall provide for the manner of applying for a direction or order of the Court for any purpose of this law and for the procedure on appeal to the Royal Court, and may in particular provide for *ex parte* applications to the Court and that fees incurred in or in consequence of applications to the Court shall be added to any costs recoverable by an applicant for such a direction or order.

**Insurance and indemnity.**

23. The Court shall subject to the approval of the States obtain a policy or policies of insurance against loss to any person resulting from errors or omissions in the Register or in a certified extract from the Register, the premiums upon which policy or policies shall be paid as part of the expenses of compiling and maintaining the Register, and to the extent that a loss is proved to the satisfaction of the Court to have resulted from an error or omission in the Register and to be covered by such a policy the person who has suffered loss shall be indemnified.

**Acting Registrar.**

24. (1) The Court shall provide for performance of the functions of the Registrar during any period when the office is vacant or when the Registrar by reason of illness or absence is unable to perform those functions.

(2) A person acting in pursuance of this section as temporary Registrar shall have all powers conferred by law upon the Registrar, and this Part of this law and section twenty-six of the Government of Alderney Law, 1948, shall apply as if he were the Registrar.

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**NOTE**

*The Government of Alderney Law, 1948 has since been repealed by the Government of Alderney Law, 1987, section 63(1), Schedule 3, with effect from 1st August 1987, subject to the savings and transitional provisions in section 63 and section 64 of the 1987 Law. The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

---

**Rectification.**

25. (1) The Register may be rectified in pursuance of an order of the Court, or by the Registrar subject to an appeal to the Court, where –

- (a) as a consequence of a decision of the Court, the Court is of opinion that rectification is required, and makes an order to that effect, or
- (b) the Court on the application of any person who is aggrieved by an entry in or by the omission of an entry from the Register, or by a default or delay in the making of an entry in the Register, makes an order for

rectification, or

- (c) all persons interested consent to the rectification, or
- (d) the Court or the Registrar is satisfied that an entry in the Register has been obtained by fraud, or
- (e) two or more persons are by mistake registered as owners of the same registered interest or as entitled to the same charge. or
- (f) the Registrar is made aware of a clerical error in the Register which can in his opinion be corrected without detriment to any person's interest, or
- (g) in any other case, by reason of an error or omission in the Register, or by reason of an entry made under a mistake, it is deemed by the Court to be just to rectify the Register.

(2) The Registrar shall forthwith give notice in writing to every person whose name appears in the Register in connexion with an entry which has been rectified.

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**NOTE**

*The following case has referred to section 25:*

*B. Noone and D. Noone v J. Hamon and M. Mullins and M. Manley and D. Gillingham JR and L. Millan and Odeon Heights Limited* [2025]GRC051 (Unreported, Royal Court, 20th June).

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PART IV  
REHABILITATION OF DAMAGED PROPERTY

**Scope of liability to repay.**

26. (1) This Part of this law shall have effect where by reason of damage to a building occurring on or after the twenty-third day of June one thousand nine hundred and forty His Majesty's Government undertake the work of reconstructing or repairing that building and either –

- (i) the States have agreed to repay the cost, or
- (ii) a person other than the States has accepted liability in accordance with this Part of this law for repayment of the whole or part of the said cost.

(2) This Part of this law shall not apply in respect of a building owned by a person other than the States unless he has before the first day of June one thousand nine hundred and forty-nine given written notice to the States of his wish that this Part of this law shall apply, and signed an undertaking by which he accepts liability for repayment.

(3) The cost of reconstructing or repairing a building, and the date on which the work of so doing is completed, shall be certified by a person nominated for the purpose by the Secretary of State and a certificate by that person shall be conclusive for the purposes of this Part of this law.

(4) In this Part of this law a condition of a person's ownership of a building or residence in a specified place at a specified time shall be satisfied by ownership of that building or by residence in that place as the case may be at that time by a person from whom the first mentioned person has derived title to the

ownership by will or by intestate succession or by way of dower or *franc veuvage*.

**Liability of States.**

27. Where no person other than the States has accepted liability the States shall be deemed to have agreed that they will repay the said cost not later than the thirty-first day of March, one thousand nine hundred and fifty-three.

**Liability of private persons.**

28. Where a person other than the States has accepted liability for any repayment of the said cost, his liability shall be determined by the following rules –

- (a) where the said person was owner of the building on the twenty-third day of June one thousand nine hundred and forty and had his ordinary place of residence in Alderney on the twenty-fifth day of September, one thousand nine hundred and forty-eight, the part for which he is liable shall be fifteen per cent. to be paid within six months of the date on which the work of reconstructing or repairing the building is completed,
- (b) where the foregoing rule does not apply, but the said person was owner of the building on the twenty-third day of June one thousand nine hundred and forty and gives notice to the States before the first day of June one thousand nine hundred and forty-nine that he intends to reside in the building as soon as the work of reconstructing or repairing the building is completed, the part for which he is liable shall be fifteen per cent., to be paid within six months of the date on which the work is completed, and eighty-five per cent. to be paid within a further twelve months:

Provided that there shall be no liability for payment of the last mentioned eighty-five per cent. if throughout the said period of twelve months, except for an interval which in case of death may have been necessary to establishing ownership and taking up residence, the building has been the ordinary place of residence of the said person or of the said person and a person deriving title from him by will or by intestate succession or by way of dower or *franc veuvage*.

- (c) In any other case, he shall be liable to repay the whole cost within six months of the date on which the work of reconstruction or repair is completed.

**Enforcement of undertaking.**

**29.** (1) Where in accordance with the foregoing provisions of this Part of this law a sum of money is due to His Majesty by reason of the re-erection or repair of a building not owned by the States, the undertaking signed in accordance with subsection (2) of section twenty-six of this law shall without the necessity of any further contract constitute an agreement by the person who has signed it, and –

- (i) without the necessity of any further agreement and without prejudice to any other method of recovering the money there shall be an obligation enforceable against the land comprising the building,
- (ii) the States shall be deemed to have undertaken to collect the money as agent for His Majesty and shall for the purpose of so doing have all the

powers of a creditor under the aforesaid obligation,

- (iii) the owner for the time being of the land comprising the building shall be deemed the person liable to pay the said money, and
- (iv) the Treasurer shall procure the registering of the obligation in the Register, and
- (v) the Treasurer shall for the purpose of enforcing the said obligation have power to sell the land as if he held an irrevocable power of attorney granted to him by the person liable to pay the said money.

(2) An *obligation* deemed by reason of this section to have come into existence shall as soon as it is registered have priority over all other charges on the same land, and if as provided by this section the land is sold for the purpose of enforcing such an *obligation* the title acquired by the purchaser shall be free of such other charges.

(3) The States shall have power on behalf of His Majesty to agree to vary the period of repayment fixed by an agreement which is deemed to have taken effect by virtue of subsection (1) of this section.

**Money collected by States.**

30. (1) It shall be the duty of the States to provide for the payment to His Majesty of all sums due to be collected by them as agents by virtue of this Part of this law, not later than three months from the end of the year in which those sums are so due, or would have been so due if the period of repayment under an agreement had

not been prolonged by virtue of subsection (3) of the next foregoing section.

(2) If upon a sale of land under the next foregoing section the purchase price received by the Treasurer exceeds what is due from the States to His Majesty under subsection (1) of this section, the balance after recoupment to the States of any expenses incurred by them in acting as agent under the next foregoing section shall –

- (a) be applied by the States in discharge according to their priorities of registered charges from which by subsection (2) of the next foregoing section the sale has freed the land, and
- (b) if the said balance is not thereby exhausted be paid to the person deemed to have granted the power of attorney under which the sale took place.

(3) Any question of the priority of charges arising in connexion with a payment or as to the person entitled to a payment under the next foregoing subsection shall on application by the States be decided by the Court, whose decision thereon shall be conclusive.

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**NOTE**

*In accordance with the provisions of the Alderney Land and Property (Transitional Provisions) Law, 1952, section 3, with effect from 20th June, 1952, pending entry in the Alderney Land Register of an award in respect of land against which an obligation having come or hereafter coming into existence by virtue of section 29 of this Law is enforceable, the recording by the Land Registrar at the Alderney Greffe of such obligation in such reasonable manner as he shall deem proper shall as from the date of such recording, constitute registration of that obligation in the Alderney Land Register, and this section shall have effect and be deemed always to have had effect accordingly.*

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PART V  
COMPULSORY PURCHASE: DAMAGED BUILDINGS

**Definitions for Part V.**

31. ...

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**NOTE**

*Part V, and section 31 thereof, were repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Purposes of purchase.**

32. ...

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**NOTE**

*Section 32 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Notice of intended purchase.**

33. ...

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**NOTE**

*Section 33 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Valuation and purchase by agreement.**

34. ...

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**NOTE**

*Section 34 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Compulsory purchase order.**

35. ...

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**NOTE**

*Section 35 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Notice of arbitration.**

36. ...

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**NOTE**

*Section 36 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Appointment of arbitrator.**

37. ...

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**NOTE**

*Section 37 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Basis of value.**

38. ...

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**NOTE**

*Section 38 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Rules of court.**

39. ...

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**NOTE**

*Section 39 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Award conclusive.**

40. ...

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**NOTE**

*Section 40 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Consequences of vesting.**

41. ...

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**NOTE**

*Section 41 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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PART VI  
COMPENSATION FOR AIRFIELD LAND

**Scope of Part VI.**

42. (1) The money which on the first day of January one thousand nine hundred and forty-nine was held for the purpose of compensating persons whose land was acquired for the construction of the Airfield shall be distributed in accordance with the provisions of this Part of this law.

(2) The provisions of this Part of this law shall take effect in substitution for any provisions relating to the distribution of the said money among claimants thereto, which are contained in the Acquisition of Improved Properties Law (Alderney), 1947.

**Appointment of Commissioner.**

43. It shall be lawful for the Secretary of State to appoint a Commissioner, who shall for the purposes of this Part of this law have the same powers of receiving evidence and administering an oath as are by Part II of this law conferred upon the Commissioner appointed thereunder, and sections six and fifty-one of this law shall apply accordingly.

**Sittings by Commissioner.**

44. (1) The provisions of section four of this law with regard to notices and sittings shall apply to claims under this Part of this law.

(2) The notices published in pursuance of the foregoing subsection shall include a statement that the Commissioner will in addition to claims arising

under this Part of this law be prepared to adjudicate where any person alleges that he is entitled to a claim, hypothecary right, or encumbrance, enforceable against a *rente* by virtue of article three of and the second Schedule to the Acquisition of Improved Properties Law (Alderney), 1947.

**Awards.**

45. As soon as practicable after completing the hearing of all claims which are lodged with him within the time fixed in pursuance of the next foregoing section, or of so many of such claims as from time to time can in his opinion conveniently be dealt with under this section, the Commissioner shall –

- (a) eliminate claims which are in his opinion not supported by sufficient evidence,
- (b) publish a list of claimants who have in his opinion supported their claims by sufficient evidence, which claims are hereinafter in this section called "**good claims**",
- (c) ascertain what portion if any of the land acquired for the Airfield is not covered by good claims,
- (d) unless the whole of the land is covered by good claims, divide the amount of the money mentioned in section forty-two of this law into two parts, assigning one part for distribution in respect of good claims and one part as a reserve fund against claims lodged with him but not yet heard and against future claims in respect of land not covered by good claims, which parts shall as nearly as may be stand in the same proportion as the land covered by good claims and the land not so

covered, and

- (e) issue in respect of each good claim an award declaring –
  - (i) to what sum the claimant is entitled, on the footing of the area of the land in respect of the acquisition of which the claim is made, and
  - (ii) to what claims, hypothecary rights, or encumbrances (all of which are hereafter in this law called "**encumbrances**") the said sum is subject by virtue of the provisions mentioned in subsection (2) of section forty-four of this law.

Provided that in respect of a good claim upon which the Commissioner considers that further evidence is necessary of the extent of the last-mentioned area, the Commissioner may –

- (i) award a smaller sum than he would have awarded if such further evidence had been adduced, and make a corresponding increase in the amount assigned as a reserve fund in pursuance of this section, and
- (ii) award a further sum, and make a corresponding reduction in the amount assigned as a reserve fund as aforesaid, if before all awards have been deposited in accordance with section forty-seven of this law he becomes satisfied that a larger sum than he first awarded may be

properly awarded in respect of the said claim.

**Objections.**

46. A person who is aggrieved by the list published in accordance with paragraph (b) or by an award issued under paragraph (e) of the foregoing section shall have the like right of objection and of being heard by the Court as is given by section nine of this law in respect of an award to which Part II of this law refers, and the provisions of subsections (1), (3), and (4) of that section shall apply accordingly.

**Deposit and payment of awards.**

47. (1) As soon as the time within which objections may be made by virtue of the next foregoing section has expired, the Commissioner shall deposit in duplicate with the Clerk of the Court and with the Treasurer all awards against which no objection has been made, and as soon as an objection has been determined shall deposit with the Treasurer a copy of the award as made or as altered on objection as the case may be.

(2) The sum named in an award deposited in accordance with this section shall be a debt due from the States.

(3) Money due under the next foregoing subsection shall be applied by the Treasurer for the purpose of satisfying any encumbrances to which under sub-paragraph (ii) of paragraph (e) of section forty-five of this law the sum named in the award has been declared to be subject, and so far as not required for that purpose shall be paid to the claimant.

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**NOTE**

*In accordance with the provisions of the Government of Alderney Law, 2004, section 20(1), with effect from 1st May, 2005, the person appointed to the office of Greffier is to act as the Clerk of the Court and in accordance with the provisions of section 25(1)(e)(i), with effect from that same date, the functions of the Greffier include the functions assigned by law to the Clerk of*

*the Court, including the functions of Land Registrar under this Law.*

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**Reserve for future claims.**

48. (1) The amount of the reserve fund if any which is mentioned in paragraph (d) of section forty-five of this law shall be certified by the Commissioner, and shall be held by the Treasurer in a suspense account until the expiry of twelve months from the date fixed in pursuance of section forty-four of this law for the making of claims.

(2) Within the said twelve months a person may make before the Court a claim on the reserve fund –

- (i) if he satisfies the Court of one of the matters which, in regard to applications with respect to land, are set out in subsection (1) of section eleven of this law, or
- (ii) if in a case to which the proviso to section forty-five of this law applies, he satisfies the Court by evidence which was not adduced to the Commissioner that the area of land in respect of which a claim was made by him was of greater extent than the extent upon the footing of which the award was made,

and upon any such claim the Court, after giving the States an opportunity of being heard in accordance with rules of court, and requiring the claimant to publish an advertisement approved by the Court stating that the Court when adjudicating upon his claim will be prepared to adjudicate also upon such encumbrance upon the sum represented by that claim as is mentioned in subsection (2) of section forty-four of this law, may make an order embodying any award which could have been made by

the Commissioner.

(3) An order so made shall be communicated to the Treasurer, who shall proceed upon it in like manner as by section forty-seven of this law he is required to proceed upon an award made by the Commissioner.

**Cost of awards.**

49. Section twelve of this law shall apply in regard to claims under this Part of this law as it applies in regard to applications under Part II of this law.

PART VII

PROVISIONS SUPPLEMENTARY TO PARTS II TO VI

**Rules of court and directions for Parts II to VII.**

50. Rules of court mentioned in Parts II to VII of this law and directions given by the Court by virtue of the said Parts may be challenged in the Royal Court, but such rules shall not be deemed rules formulated for the purpose of regulating the procedure of the Court within the meaning of section twenty-two of the Government of Alderney Law, 1948.

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**NOTE**

*The Government of Alderney Law, 1948 has since been repealed by the Government of Alderney Law, 1987, section 63(1), Schedule 3, with effect from 1st August 1987, subject to the savings and transitional provisions in section 63 and section 64 of the 1987 Law. The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

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**False oath to be perjury.**

51. The taking for purposes of this law of an oath which is false in any

material particular shall constitute perjury, and the production for purposes of this law of a document which is false in any material particular shall be an offence punishable by imprisonment for a term not exceeding twelve months or by a fine not exceeding [level 2 on the Alderney uniform scale] or by both such imprisonment and such fine.

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**NOTE**

*In section 51, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Alderney) Law, 1989, section 2(2), with effect from 1st October, 1989.*

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**Boundary marks.**

**52.** (1) It shall be lawful for the Commissioner or the Registrar or for a surveyor or other person authorized in writing generally or specially by the Commissioner or Registrar to enter with or without assistants upon land and to place thereon boundary marks corresponding to an award or to an entry in the register.

(2) The nature of the boundary marks to be so placed by or under the authority of the Registrar shall be determined by rules of court or by direction of the Court.

(3) Removal or covering over or mutilation of a boundary mark which has been placed on land by or under the authority of the Commissioner or Registrar shall be an offence punishable by imprisonment for a term not exceeding twelve months or by a fine not exceeding [level 2 on the Alderney uniform scale] or by both such imprisonment and such fine.

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**NOTE**

*In section 52, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Alderney) Law, 1989, section 2(2), with effect from 1st October, 1989.*

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PART VIII  
RIGHT OF ACCESS TO THE STATES

**Private persons may address two meetings at least in each year.**

53. ...

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**NOTE**

*Part VIII, and section 53 thereof, were repealed by the Government of Alderney Law, 1948, section 51A(5) (as inserted by the Government of Alderney (Amendment) Law, 1955, section 1(h)), with effect from 30th July, 1955.*

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PART IX  
LAW REFORM

**Definitions, etc., for Part IX.**

54. ...

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**NOTE**

*Section 54 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(v), with effect from 16th December, 2015.<sup>1</sup>*

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*Married Women*

**Married women's property.**

55. The Married Women's Property Law, 1928, which was registered upon the records of Guernsey on the eighth day of September, one thousand nine hundred and twenty-eight, shall apply in Alderney as if it formed part of this law, with the substitution of references to the Court for references to the Royal Court sitting as the

Ordinary Court, and with the substitution of the date whereon the Order of the King's most Excellent Majesty in Council sanctioning this law is registered on the records of Alderney for the date of the commencement of that law.

*Wills*

**Disposition of land by will.**

**56.** (1) If a person who dies on or after the day on which this law is registered on the records of the Island of Alderney has made a will disposing of real property, that will [...] shall if otherwise valid take effect notwithstanding that the said person is survived by persons to whom the said property would have passed under the law hitherto in force.

(2) ...

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**NOTE**

*In section 56, subsection (2) and the words omitted in square brackets in subsection (1) were repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vi), with effect from 16th December, 2015.*

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*Intestate succession*

**Vesting and sale of real estate upon intestacy.**

**57.** ...

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**NOTE**

*Section 57 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Surviving spouse.**

58. ...

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**NOTE**

*Section 58 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Descendants.**

59. ...

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**NOTE**

*Section 59 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Parents.**

60. ...

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**NOTE**

*Section 60 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Brothers and sisters and their descendants.**

61. ...

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**NOTE**

*Section 61 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Grandparents, etc., uncles and aunts.**

62. ...

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**NOTE**

*Section 62 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Persons under age.**

63. ...

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**NOTE**

*Section 63 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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**Ultimate Right of His Majesty.**

64. ...

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**NOTE**

*Section 64 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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*General*

**Rules of court, etc., for Part IX.**

65. ...

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**NOTE**

*Section 65 was repealed by the Inheritance (Alderney) Law, 2015, section 57(f)(vii), with effect from 16th December, 2015.*

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PART X  
COMPULSORY PURCHASE: GENERAL

**Scope of Part X.**

66. ...

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**NOTE**

*Part X, and section 66 thereof, were repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Definitions for Part X.**

67. ...

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**NOTE**

*Section 67 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Notice of intended purchase.**

68. ...

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**NOTE**

*Section 68 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

---

**Offer by owner to sell.**

69. ...

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**NOTE**

*Section 69 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Compulsory purchase order.**

70. ...

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**NOTE**

*Section 70 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Notice of arbitration, and purchase of subordinate interests.**

71. ...

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**NOTE**

*Section 71 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Appointment of arbitrator.**

72. ...

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**NOTE**

*Section 72 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Basis of value.**

73. ...

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**NOTE**

*Section 73 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Rules of court.**

74. ...

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**NOTE**

*Section 74 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Award conclusive.**

75. ...

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**NOTE**

*Section 75 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**Consequences of vesting.**

76. ...

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**NOTE**

*Section 76 was repealed by the Compulsory Purchase (Alderney) Law, 1986, section 13(1), with effect from 6th June, 1986, subject to the savings in section 13(2) of the 1986 Law.*

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**1** Prior to its repeal and in accordance with the provisions of, first, the Adoption (Guernsey) Law, 1960, section 15(3) and, second, the Adoption (Guernsey) Law, 1966, section 1(1), section 54 was modified in its application to the Island of Alderney by the Alderney (Application of Legislation) (Adoption) Ordinance, 1974, section 1, Schedule, with effect from 1st July, 1974.