

# ORDINANCES

## OF THE

# STATES

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(Made on the 15th February, 1949.)

1949

### “ The Alderney Rateable Values Assessment Ordinance, 1949 ”.

(No. IV—  
1949)

THE STATES, under and by virtue of section 4 of “ The Alderney (Application of Legislation) Law, 1948 ”, hereby order as follows:—

1. The Cadastre Committee of the States of Guernsey (hereinafter referred to as “ the Committee ”) is hereby empowered, if so requested by the States of Alderney and for so long as that request remains operative—

Powers of  
Guernsey  
Cadastre  
Committee  
in Alderney.

(a) to assess the rateable value of any real property situate in the Island of Alderney ;  
and

(b) from time to time to rectify the assessment of the rateable value of any real property situate in the Island of Alderney.

2. Upon written notification by the proprietor, usufructuary or occupier of any real property situate in the Island of Alderney, in accordance with a form to be provided by the Committee, of any incorrectness or unfairness in the assessment of the rateable value thereof whereby he is prejudiced, the Committee shall consider whether or not there are grounds for the rectification of the alleged incorrectness or unfairness referred to in such notification and, upon being satisfied that such grounds exist, the Committee shall rectify the assessment accordingly.

Rectification  
of assess-  
ments.

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 Making of  
 representa-  
 tions.

3. Unless, without hearing the person by whom the notification was sent, the Committee is satisfied that grounds exist for the rectification of the rateable value of the property concerned and rectifies the same accordingly, an opportunity shall be given to such person to make representations in the matter and for this purpose a Board, consisting of not less than four members of the Committee appointed by the Committee, of whom one shall be appointed by the Committee as President of the Board, and of a person residing in Alderney, having experience of the value of real property situate in Alderney and appointed by the States of Alderney, shall sit in Alderney. The President and each member of the Board shall have a vote in the determination of the matter :

PROVIDED that the Board, unless it otherwise determine, shall not be required to assemble in Alderney more frequently than once in any calendar year nor within a period of twelve months from the date of its last assembly.

Application  
 of Art. 14 of  
 Guernsey  
 Law.

4. The provisions of Article 14 of the Cadastre Law, 1947, in force in the Island of Guernsey (which provides for appeals to the Royal Court of the Island of Guernsey sitting as an Ordinary Court from decisions of the Committee under that Law) shall have effect as regards decisions of the Board under the last foregoing subsection, but so that the reference to a notification therein contained shall be deemed to include a notification under section 2 of this Ordinance, that references to the Committee shall be deemed to include references to the Board, and that references to the Royal Court sitting as an Ordinary Court shall be deemed to be references to the Court of Alderney.

Application  
 of Art. 5, 6, 8,  
 9, 10 and 15  
 of Guernsey  
 Law.

5. The following provisions of the Cadastre Law, 1947, in force in the Island of Guernsey, shall have effect in the Island of Alderney—

Article 5 (Power to enter upon property for survey and valuation):

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„ 6 (Declarations by Owners and Others):

„ 8 (Notification of Changes in and Additions to Property and of Changes in Use of Property):

„ 9 (Notification of Changes of Ownership):

„ 10 (Penalties):

„ 15 (Limitation of Rectification):

(1) as though the references therein to the Guernsey Cadastre, to the Island of Guernsey, and to real property situate in Guernsey were references to the record of the assessments made in pursuance of this Ordinance, to the Island of Alderney and to real property situate in Alderney respectively;

(2) as though in the said Article 5, the reference to the Committee included a reference to the Board; and

(3) as though in paragraph (4) of the said Article 9 the reference to Guernsey realty included a reference to Alderney realty.

6. The rateable values of real property situate in Alderney shall be determined by the Committee and the Board in accordance with the Rules for the Determination of the rateable values of real property from time to time in force in the Island of Guernsey:

Determina-  
tion of rate-  
able values.

SAVE that in Category D of paragraph 5 of the Ordinance (1948) enacting the Cadastre Law, 1947, Rules, the annual rental value for glass-houses fitted with a heating system shall, in relation to Alderney, be £2 per perch, and for glass-houses not so fitted, £1 10s. od. per perch:

AND SAVE that the rateable values of public utility undertakings in Alderney shall be determined in accordance with such rules as the States of Guernsey may hereafter by Ordinance appoint.\*

\* See Page 32.

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 Exhibition of  
 assessment.

7. (1) On completion of the assessment made hereunder, and in every calendar year thereafter, the Committee shall cause the same to be exhibited in the States of Guernsey Office in Alderney on at least six consecutive working days between the hours of nine in the forenoon and half past twelve in the afternoon and, except on any Thursday, between the hours of two and five in the afternoon.

(2) The States Supervisor shall in respect of any such exhibition of the said assessment as aforesaid give previous notice on at least two occasions in *La Gazette Officielle* of the exhibition of the Cadastre and of the dates and hours during which, in that calendar year, such exhibition will take place.

Definitions.

8. In this Ordinance a reference to the assessment made hereunder shall, where the context so admits, include a reference to any periodic rectification made therein, and the expression "real property" shall have the same meaning as that expression has in the Cadastre Law, 1947.

Commence-  
 ment of  
 assessment.

9. The assessment prepared in accordance with the provisions of this Ordinance shall, for the purposes of section 2 of "The Alderney (Application of Legislation) Law, 1948", be deemed to have been effective on the 1st day of January, 1949.

(Made on the 9th March, 1949.)

(No. V—  
 1949)

### The Vehicular Traffic Driving Test Fee Ordinance, 1949.

THE STATES, in pursuance of their Resolution of the 4th day of February, 1949, hereby order:—

Paragraph (4) of Article VIII of the Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile of the 2nd day of March, 1929, is hereby amended by the substitution therein of the words "seven shillings and sixpence" for the words "two shillings and sixpence".