

SARK STATUTORY INSTRUMENT  
2017 No. 1

**The Electronic Transactions (Exemptions)  
(Sark) Order, 2017**

*Made:* 29<sup>th</sup> August, 2017

*Coming into operation:* 18<sup>th</sup> October, 2017

*Laid before the Chief Pleas:* 4<sup>th</sup> October, 2017

THE POLICY AND PERFORMANCE COMMITTEE OF THE CHIEF PLEAS OF SARK, in exercise of the powers conferred upon it by section 11 of the Electronic Transactions (Sark) Law, 2001<sup>1</sup>, hereby makes the following order:-

**Exempted matters.**

1. The provisions of sections 1 to 5 and 8 of the Electronic Transactions (Sark) Law, 2001 shall not apply to -

- (a) the conveyance of real property or the transfer of any interest in real property, including any contract prior thereto,
- (b) leases of real property,

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<sup>1</sup> Order in Council No. X of 2001.

- (c) the creation, execution, variation, rectification or revocation of a will, codicil or any other testamentary instrument,
- (d) the creation, execution, variation, revocation or enforcement of an indenture, declaration of trust, power of attorney or any document required to be sealed,
- (e) negotiable instruments,
- (f) the making of an affidavit or a statutory or sworn declaration,
- (g) warrants,
- (h) any notice of -
  - (i) the cancellation or termination of utility services, including water, power and gas,
  - (ii) default, repossession, foreclosure or eviction in respect of real property,
  - (iii) the cancellation or termination of any insurance benefits, or

- (iv) recall of a product, or material failure of a product, that risks endangering health or safety, and
- (i) the rules, practices and procedures of a court or tribunal, including pleadings, judgments and orders.

**Interpretation.**

2. The Interpretation (Guernsey) Law, 1948<sup>2</sup> applies to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

**Citation.**

3. This Order may be cited as the Electronic Transactions (Exemptions) (Sark) Order, 2017.

**Commencement.**

4. This Order shall come into force on the 18<sup>th</sup> October, 2017.

Dated this 29<sup>th</sup> day of August, 2017



Charles Maitland

Chairman of the Policy and ~~Finance Committee~~  
for and on behalf of the Committee.

Performance Committee



CONSEILLER HAZEL FRY  
DEPUTY CHAIR.

1/9/2017

### EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the transactions and other matters that are generally excluded from the application of the relevant provisions of the Electronic Transactions (Sark) Law, 2001 the purpose of which is the facilitating of electronic transactions and the liberalising of requirements of form. At least for the time being, the transactions and other matters specified in this Order must still be transacted and done by non-electronic means or in non-electronic form.