3. This Order may be cited as the Alderney (Transfer of Breakwater) Order, 1950.

And His Majesty doth hereby further direct that this Order be registered on the records of the Islands of Guernsey and Alderney and observed accordingly:

And the Lieutenant Governor and Commander-in-Chief of the Bailiwick of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers for the time being in the said Bailiwick of Guernsey, the Court of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

E. C. E. Leadbitter.

SCHEDULE

Number on Deposited Map	Premises	Area		
		a.	r.	p.
7	Admiralty Tramway extending from Les Mannez Quarry to Braye together with portions of the tramway over the road at Braye and on the Breakwater	10	0	0
12	Land and stabling near York Quarry ...			18⅓
29	Strip of land eleven feet wide adjoining the tramway at Braye.			
34	Breakwater and approach at Braye.			

The Alderney (Transfer of Property, &c.) Order, 1950

1950 No. 839

Made - - - - 24th May, 1950

At the Court at Buckingham Palace, the 24th day of May, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas by subsection (1) of section one of the Alderney (Transfer of Property, &c.) Act, 1923(a), it is enacted that His Majesty may by Order in Council provide for the transfer and vesting of any property, rights, duties and liabilities of His Majesty or of any Government department in or in

(a) 13 & 14 Geo. 5. c. 15.

connection with the Island of Alderney to or in any Government department or the States of Alderney or any person or persons appointed by the States of Alderney in that behalf:

And Whereas by subsection (2) of the said section it is enacted that any transfer effected by Order in Council under the said Act shall be deemed to have taken effect as from such date or dates as may be specified in the Order, and that the Order may provide that the transfer shall be subject to such terms and conditions as may be specified in the Order, and may contain such consequential and supplemental provisions as appear to His Majesty to be necessary or expedient for the purpose of giving full effect to the Order:

And Whereas the properties specified in the First Schedule to this Order, together with all rights, duties and liabilities appurtenant thereto, and also the sources of income specified in the Second Schedule to this Order are vested in His Majesty:

And Whereas the permits, licences, and permissions specified in the Third Schedule to this Order have been granted by or on behalf of His Majesty to the persons or bodies described in that Schedule as "licensees":

And Whereas it is expedient to provide for the transfer to the States of Alderney (hereafter in this Order called "the States") of the properties, rights, duties, liabilities, and sources of income mentioned or specified in Article 1 of, or in the First and Second Schedules to, this Order in the manner and subject to the terms and conditions hereinafter appearing:

And Whereas for the better identification of certain of the properties aforesaid a map, hereinafter referred to as the deposited map, has been signed by the Clerk of the Council and deposited in triplicate, one copy in the Office of the Court of Alderney, one copy in the Greffe of the Royal Court of Guernsey, and one copy in the Office in London of His Majesty's Secretary of State for the Home Department:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Transfer of Properties to the States

1. The properties and rights specified in the First and Second Schedules to this Order, together with all other properties, if any, and other rights, if any, in and about the Islands of Alderney and Burhou vested at the date of this Order in His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands, and all the rights, duties and liabilities of His Majesty and of the Commissioners of Crown Lands in connection with the said properties and in connection with the permits, licences, and permissions specified in the Third Schedule to this Order are, subject to the reservations and conditions specified in this Order, transferred to the States, and shall vest in the States subject to the said reservations and conditions, to the rights conferred by the said permits, licences, and permissions, which permits, licences, and permissions shall from the commencement of this Order take effect as if they had been granted by the States, and to any existing leases, tenancies, and agreements with, or rights of, or easements enjoyed by, any persons, whether herein expressly referred to or not.

RESERVATIONS AND CONDITIONS

2. This Order shall not transfer to the States the properties specified in the Fourth Schedule to this Order, or entitle the States to any interest in, or to take possession of, raise, remove, disperse or destroy any vessel now or hereafter sunk, stranded or abandoned, being a vessel belonging to or in the possession of His Majesty at or subsequently to the time of the sinking, stranding, or abandonment thereof, or any vessel now or hereafter sunk, stranded or abandoned by any person acting on behalf of His Majesty or otherwise by an officer or servant of His Majesty acting in the course of his duty as such, or any cargo, goods, or wreck in, of, or from any such vessel.

3. As respects the seven perches of land at Val Longis with Springs thereon, there is reserved to the Secretary of State for the War Department the right to take water from the Springs and for that purpose to enjoy any necessary easements in connection with any pipe line laid or to be laid from the Springs through the said lands.

4. As respects all the other properties specified in the Schedules to this Order as being subject to rights exercisable by the Secretary of State for the War Department there are reserved to the said Secretary of State the rights so specified.

5. As respects all quarries from which at any time in the twelve months next before the coming into operation of this Order stone was being taken for His Majesty's use in Alderney, there is reserved to the appropriate department of His Majesty's Government the right of taking stone without payment.

6. If approaching exhaustion of, or inconvenience in or cost of working, the aforesaid quarries makes it in the opinion of a Department of His Majesty's Government requiring stone for the use or service of His Majesty in Alderney desirable to have recourse to other quarries, there is reserved to such Department a right for the use or service of His Majesty in Alderney to take stone from such other quarries without payment, other than such payment, if any, as it may on behalf of His Majesty be agreed to make to the States or to their lessees as remuneration for quarrying or carting the stone so taken.

7. The transfer to the States by this Order of any right of His Majesty to levy dues or charges shall not empower the States—

(*a*) to levy dues or charges upon vessels, aircraft or vehicles belonging to or employed in the service of His Majesty or upon persons entering or leaving Alderney in the course of their duty to His Majesty or upon stores imported into or being in or removed from Alderney for the use or service of His Majesty ;

(*b*) to vary the amount leviable or chargeable at the date of the coming into operation of this Order of any dues or charges the right to which is transferred to the States by this Order:

Provided that the foregoing condition lettered (*b*) shall not affect—

(i) any power exercisable by the States in accordance with subsection (5) of section sixteen of the Alderney Land and Property, &c., Law, 1949, or

(ii) the right of the States to present a Projet de Loi to His Majesty.

8. The Harbour Master shall cease to be an officer of the Crown and the States shall be responsible for appointing and paying a Harbour Master.

9. The States shall pay to the Church Commissioners an annual sum by way of contribution to the stipend of the Vicar of Alderney, which, without prejudice to any further provision to be made by Order of His Majesty in Council, shall, so long as the Vicar who is in office at the coming into operation of this Order remains in office, be at the rate of £95.

10. Subject to the provisions of Article 11 of this Order, the States shall maintain all existing buoys, lights, beacons, and other aids to navigation in the waters round the Island, and shall provide and maintain such aids to navigation as are necessary to secure the safety of shipping lawfully using those waters.

11. Nothing in this Order shall prejudice, affect, or interfere with any of the existing rights, privileges, jurisdiction, or authority of the Corporation of the Trinity House of Deptford Strond.

COMMENCEMENT, DEPOSIT, AND SHORT TITLE

12.—(1) This Order shall come into operation on the day upon which it is registered on the records of the Island of Alderney, but any appointment made or thing done by the States on or after the first day of January, one thousand nine hundred and forty-nine, in anticipation of the coming into force of this Order shall, except in so far as the rights of any person would be adversely affected thereby, have as full effect as if this Order had been in operation on the said first day of January, and for the purposes of Article 9 of this Order years shall be reckoned from the said first day of January.

(2) The said first day of January shall for the purpose of the accounts of the States relating to property accruing to them or payments due to them or due from them in virtue of this Order be treated as the first day of a financial year, and the Treasurer of Alderney shall indicate in those accounts whether receipts or expenditure shown therein accrued or occurred before or after the coming into operation of this Order.

13. A copy of this Order shall be deposited forthwith and kept in the Land Revenue Record Office of His Majesty's Government.

14. This Order may be cited as the Alderney (Transfer of Property, &c.) Order, 1950.

And His Majesty doth hereby further direct that this Order be registered on the records of the Islands of Guernsey and Alderney and observed accordingly:

And the Lieutenant Governor and Commander-in-Chief of the Bailiwick of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers for the time being in the said Bailiwick of Guernsey, the Court of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

E. C. E. Leadbitter.

FIRST SCHEDULE

Number on Deposited Map	Premises	Area			Reservations
		a.	r.	p.	
1	York Quarry	11	3	0	—
2	L'Etoc Hill Quarry ...	4	1	34	—
3	L'Etoc Quarry	19	3	20	Erection of buildings prohibited except with the written consent of and right to manoeuvre troops reserved to Secretary of State for the War Department under Order in Council dated 30th May, 1924.
4	Les Rochers Quarry ...	2	0	20	Do.
5	Great Rochers Quarry ...	52	3	24	Do.
6	Les Mannez Quarry and Admiralty Magazine.	21	1	6	Do.
8	Land and buildings at Corblets.	4	0	16	—
9	Land and buildings near Les Rochers Quarry together with right to place stone, rubbish, and deads from Les Rochers Quarry.	18	2	32	Erection of buildings prohibited except with the written consent of and right to manoeuvre troops reserved to Secretary of State for the War Department under Order in Council dated 30th May, 1924.
10	Land at Braye	8	2	35	Do.
11	Land situate to the north of Les Rochers Quarry.	4	3	2	Do.
13	Land at Braye	23	0	4	Do.
14	Land and buildings at Les Rochers.	1	0	0	Do.
15	Foreshore and bed of sea at Cachaliere.	82	1	8	—
16	Island of Burhou ...				—
17A, 17B ...	Two pieces of land at L'Etoc.				Erection of buildings prohibited except with the written consent of and right to manoeuvre troops reserved to Secretary of State for the War Department under Order in Council dated 30th May, 1924. The land is in hand, but is subject to permission to tip debris thereon.
18	Land part of Butes Hill (including certain plantations).	11	0	26½	This area is reserved for the use of the Militia and troops of His Majesty and for other public purposes under Order in Council dated 4th August, 1930.
21	Land at Longy for grazing.	50	0	23	Erection of buildings prohibited except with the written consent of and right to manoeuvre troops reserved to Secretary of State for the War Department under Order in Council dated 30th May, 1924.

Number on Deposited Map	Premises	Area a.	Area r.	Area p.	Reservations
25	Unallotted lands two areas on south side of Island reserved for Quarries (subject to rights of quarrying).				—
28	Right of grazing over land at Les Mannez Quarry.				—
32	Plantation (excluding part included in letting to States of Alderney No. 18 on Deposited Map).	0	1	20	—
33	Land at Val Longis with Springs thereon.			7	Right to take water from Springs reserved to Secretary of State for the War Department.
35	New Pier including extension and widening by Germans.				—
36	Road to New Pier ...				—
37	Old Pier and the approach to Old Harbour (subject to certain rights of user).				—
38	Shed at end of Braye Street.				—
42	The Court House ...				—
43	The Gaol and House ...				—
44	The Greffier's field ...				—
45	Land at Braye for oil storage tanks together with right to lay and maintain a line of pipes over adjoining land.			30	—
46	Pier and land at New Inner Harbour.				—
Between blue letters, A–B, C–D, E–F, G–H, I–J and K–L.	The Estate and interest of the Crown in undisposed portions of two strips of land along the coast extending inland 100 feet and 100 yards respectively from high water mark (subject to certain rights of user i.e. rights of inhabitants to gather and dry seaweed).				The privilege is without prejudice to the using of the strip of land as a place in which to exercise the Troops in garrison and the Militia of the Island and also without prejudice to a power for His Majesty, His Heirs and successors to abolish such privilege of drying and depositing seaweed as to all or any part of the strip of land which shall at any time in the judgment of the Secretary of State for the War Department be wanted for the erection of any Fort Battery or for any other public purpose civil or military.
Not numbered	All the foreshore and seabed of the Islands other than Cachaliere let to Channel Islands Granite Ltd.				—

SECOND SCHEDULE

Corn or Great Tithes.
Harbour Dues.
Treizièmes or Acquittals on the Sale of Real Property.
Crown portion of Court fines.
Wrecks Waifs and similar rights.
Permits to moor boats in New Inner Harbour.

THIRD SCHEDULE

Number of Property on Deposited Map	Licensee	Premises
20	S. A. Gaudion ...	Permission to lay and maintain a drain pipe across foreshore at Les Mannez.
22	F. L. Impey	Permission to lay and maintain a drain pipe across foreshore from Corblets Fort to the sea.
24	C. G. Kay-Mouat ...	Permission to erect and maintain a shed and for tanks and to use wharf at New Inner Harbour.
26	A. Jennings	Licence to erect and maintain a shed at New Inner Harbour.
27	Alderney Stores and Bunkering Co. Ltd.	Permission to connect drain from premises at a point north-west of Braye Street with Admiralty Office drain.
Not numbered	The Postmaster-General.	Permission to maintain four telegraph poles on Les Mannez Quarry.
30	N. Allen	Licence to erect and maintain a shed at New Inner Harbour.
31	Radcliffe Channel Islands Steamship Company Limited.	Licence to erect and maintain a shed at Braye Harbour.
Not numbered	Channel Islands Granite Limited.	Permission to remove sand and shingle from Beach at Platte Saline.
Not numbered	H. A. Paine—assigned to the Alderney Metallic Grit and Gravel Co. Ltd.	Do.
Not numbered	S. A. Gaudion and A. F. Cochrane.	Do.

FOURTH SCHEDULE

Premises	Area		
	a.	r.	p.
Admiralty Tramway extending from Les Mannez Quarry to Braye together with portions of the tramway over the road at Braye and on the Breakwater...	10	0	0
Land and stabling near York Quarry			18½
Strip of land eleven feet wide adjoining the tramway at Braye.			
Breakwater and approach at Braye.			