

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**PROJET DE LOI**

Entitled

**THE PUBLICATION OF OFFICIAL NOTICES (GUERNSEY) LAW, 2024**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Publication of Official Notices (Guernsey) Law, 2024", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

**EXPLANATORY MEMORANDUM**

This Law provides for official notices currently required to be published in La Gazette Officielle ("the Gazette") to be published other than in the Gazette if certain conditions are satisfied, which are set out in section 1(2). Supplementary provision is made in section 1(3) and 1(4). Section 1(5) confers power on the Policy & Resources Committee to publish guidance in respect of matters to be taken into consideration under section 1(2), and to make regulations about charges that may be imposed by the States of Guernsey in respect of the publication of notices, etc. by the States under the Law, whether in the Gazette or otherwise. Section 1(7) provides that extant legislation dealing with the publication of notices in the Gazette shall be construed in accordance with section 1. Section 2 deals with citation and commencement.



# PROJET DE LOI

ENTITLED

## **The Publication of Official Notices (Guernsey) Law, 2024**

**THE STATES**, in pursuance of their Resolution of the 25<sup>th</sup> November 2022<sup>a</sup>, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in Guernsey, Herm and Jethou.

### **Publication of official notices.**

1. (1) Subject to the provisions of this Law, where any notice or other document or information is required by statute or customary law to be published in La Gazette Officielle, that requirement may be satisfied by publication of the notice or other document or information elsewhere instead, including (but not limited to) any publication established and maintained by or on behalf of the States of Guernsey.

(2) The requirement to publish a notice or other document or information in La Gazette Officielle may only be satisfied by publication elsewhere under subsection (1) if the person or body under the duty to make the publication is satisfied that –

(a) the notice, document or information will be

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<sup>a</sup> Article XV of Billet d'État No. XX of 2022.

communicated effectively by that publication to those who are or may be affected thereby, and

(b) the purpose of publication in that case will otherwise be met.

(3) For the avoidance of doubt –

(a) this Law does not prevent publication of any notice or other document or information in La Gazette Officielle,

(b) publication other than in La Gazette Officielle of any notice or other document or information under this section may be (but is not required to be) online only, and

(c) the States of Guernsey (subject to the provisions of any regulations made under paragraph (b) of subsection (5)) and any other person may charge for the publication of notices, documents and information under and for the purposes of this Law, whether in La Gazette Officielle or otherwise.

(4) To the extent that a person or body is deemed to have knowledge of a matter through publication of a notice or other document or information in La Gazette Officielle, a person or body is deemed to have knowledge of that matter through publication of a notice or other document or information elsewhere instead, in accordance with this Law.

- (5) The States' Policy & Resources Committee may –
- (a) publish guidance in respect of the matters to be taken into consideration under subsection (2), and
  - (b) make provision by way of regulations in respect of charges that may be imposed by the States of Guernsey in respect of the publication of notices, documents and information under and for the purposes of this Law, whether in La Gazette Officielle or otherwise.

(6) Any regulations made under paragraph (b) of subsection (5) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or the making of new regulations.

(7) The *Loi par rapport à la publication des Annonces Officielles*<sup>b</sup>, the *Ordonnance par rapport à la publication des Annonces Officielles*<sup>c</sup>, and any enactment or provision of customary law that requires publication of a notice or other document or information in La Gazette Officielle shall be construed in accordance with this section.

**Citation and commencement.**

2. This Law may be cited as the Publication of Official Notices (Guernsey) Law, 2024, and shall come into force on the day appointed by Ordinance of the States.

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<sup>b</sup> Ordres en Conseil Vol. X, p. 304; this enactment has been amended.

<sup>c</sup> Recueil d'Ordonnances Tome IX, p. 1; this enactment has been amended.