

**THE LAND PLANNING AND DEVELOPMENT (EXEMPTIONS) (AMENDMENT)
ORDINANCE, 2018**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Land Planning and Development (Exemptions) (Amendment) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance substitutes the existing exemption (from the requirement to obtain planning permission) for election signs in the Land Planning and Development (Exemptions) Ordinance, 2007. The main change is to add, in new paragraph 4(b), an exemption for the temporary display of signs promoting campaigns in relation to, or the subject matter of which is otherwise in connection with, a referendum to be held in Guernsey under legislation; it covers signs which are displayed during the period immediately preceding a referendum. The current similar exemption for signs in relation to States or Parish elections is retained but the wording has been reordered. The amendment has been made because of the referendum on Island Wide Voting, planned to be held in October, 2018, but is worded generally to apply to any referendum held under legislation in Guernsey.

The Land Planning and Development (Exemptions) (Amendment) Ordinance, 2018

THE STATES, in pursuance of their Resolution of the 22nd June, 2017^a, and in exercise of the powers conferred on them by sections 28 and 89 of the Land Planning and Development (Guernsey) Law, 2005^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of the 2007 Ordinance.

1. (1) The Land Planning and Development (Exemptions) Ordinance, 2007^c is amended as follows.

(2) For paragraph 4 (election signs) of Class 8 (signs and advertisements) of the Schedule (exempt development) substitute the following paragraph –

"Election signs.

4. Temporary display of a sign, including on or within the curtilage of a protected building or a protected monument, which –

(a) promotes a candidate at, or the subject matter of

^a Article IX of Billet d'État No. XIV of 2017.

^b Order in Council No. XVI of 2005 to which there are amendments not relevant to this Ordinance.

^c Ordinance No. XXIII of 2007 as amended by Ordinance No. IX of 2016 and No. IV of 2017.

which is otherwise in connection with, an election for any States or Parish office and which is displayed during the period immediately preceding the election, or

- (b) promotes a campaign in relation to a question to be asked at a referendum to be held in Guernsey pursuant to an enactment, or the subject matter of which is otherwise in connection with such a referendum, and which is displayed during the period immediately preceding the referendum."

Interpretation.

2. Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

3. This Ordinance may be cited as the Land Planning and Development (Exemptions) (Amendment) Ordinance, 2018.

Commencement.

4. This Ordinance shall come into force on the 27th June, 2018.