

ORDRE EN CONSEIL

VII
1945

Ratifiant un Projet de Loi intitulé

“National Registration (Guernsey)
Law, 1945”.

(Enregistré sur les Records de l'Ile de Guernesey le
24 novembre 1945.)



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1945.

ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ÎLE DE GUERNESEY

*Le vingt quatre novembre mil neuf cent quarante cinq,
par devant Victor Gosselin Carey, écuyer, Baillif,
présents : Jean Allès Simon, John Roussel,
Osmond Priaulx Gallienne, Arthur Dorey, Ernest
de Garis, John Leale, James Frederick Carey,
écuyers, Messire Abraham James Lainé, K.C.I.E.,
Arthur Falla, Quartier Le Pelley et Walter John
Sarre, écuyers, Jurés.*

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 16 novembre 1945, ratifiant un projet de Loi intitulé "National Registration (Guernsey) Law, 1945". La Cour, après avoir eu lecture du dit Ordre en Conseil, ouïes les conclusions du Procureur du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Île et qu'un extrait des registres contenant ce présent acte avec un exemplaire du dit Ordre seront expédiés par le Greffier du Roi à Monsieur le Sénéchal de Serk pour être enregistrés sur les Records de la dite Île, duquel Ordre la teneur suit :—

At the Court at Buckingham Palace

The 16th day of November, 1945.

Present,

The King's Most Excellent Majesty

LORD PRESIDENT.
LORD CHAMBERLAIN.
VISCOUNT ADDISON.

SIR ALAN LASCELLES.
MR. VAN ZYL.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the

LE 24 NOVEMBRE 1945.

Committee of Council for the Affairs of Guernsey and Jersey, dated the 3rd day of November, 1945, in the words following, viz:—

“YOUR MAJESTY having been pleased, by Your general Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That on the 17th day of October, 1945, the Royal Court adopted a Bill or “Projet de Loi” intituled “National Registration (Guernsey) Law, 1945,” and requested the Bailiff to submit the same to the States of Deliberation for approval. 2. That on the 24th day of October, 1945, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same and authorizing the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey intituled “National Registration (Guernsey) Law, 1945,” and to order and direct that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of

His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

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

E. C. E. Leadbitter.

PROJET DE LOI referred to in the foregoing Order
in Council.

PROJET DE LOI

INTITULÉ

"National Registration (Guernsey) Law, 1945".

THE STATES have adopted the following Law which, subject to the sanction of His Most Excellent Majesty in Council, shall have effect throughout the Bailiwick of the Island of Guernsey:—

ARTICLE 1.

Establishment of National Register.

(1) Subject to the provisions of this Law, there shall be a register of all persons in the Bailiwick of the Island of Guernsey at the appointed time, and of all persons entering or born in that Bailiwick after that time, and there shall be recorded in the register in relation to those persons such particulars with respect to the matters specified in the Schedule to this Law as may be prescribed by regulations made by the Royal Court.

(2) The said Register shall be called the National Register and is hereafter in this Law referred to as "the Register".

ARTICLE 2.

Duties of States Board of Administration.

It shall be the duty of the States Board of Administration, hereafter in this Law referred to as "the Board", to make such arrangements and do such things as are necessary for the initiation and maintenance of the Register in accordance with the provisions of this Law and of any regulations made thereunder, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instructions and for the collection or reception of the forms when filled in.

ARTICLE 3.

Initiation of Register.

For the purpose of initiating the Register, the Royal Court may make regulations providing for such matters as may be necessary or expedient and, in particular, but without prejudice to the generality of the foregoing words of this Article—

- (a) providing, in connection with the collection, reception and recording of the information required in relation to persons in the Bailiwick at the appointed time, for the division of the Bailiwick into districts and for the grouping of any such districts into areas, and for the employment of persons to act in the several districts and areas ;
- (b) requiring persons employed under the regulations to make an affidavit with respect to the performance of their duties ;
- (c) prescribing the persons or classes of persons by whom returns are to be made (whether as respects themselves or as respects other persons), the persons to whom returns are to be made and the form of the returns, and providing for the collection or delivery of the returns ;
- (d) requiring the information necessary for the making of a return with respect to any person to be given either by that person, or by such other person as may be prescribed, to the person by whom the return is to be made.

ARTICLE 4.

Maintenance of Register.

For the purpose of maintaining the Register, the Royal Court may make regulations providing for such matters as may be necessary or expedient and, in particular, but without prejudice to the generality of the foregoing words of this Article, providing—

- (a) for the making of returns, in respect of any registered person, containing particulars of any

change of circumstances affecting the accuracy of such of the particulars recorded in the Register in relation to that person as may be prescribed ;

- (b) for the making of returns, in respect of persons entering or born in the Bailiwick after the appointed time, containing such particulars with respect to such of the matters specified in the Schedule to this Law as may be prescribed ;
- (c) for the collection of such particulars with respect to registered persons dying or leaving the Bailiwick as may be prescribed ;
- (d) for the recording of particulars obtained under this Law in such manner, at such places and by such persons as may be prescribed.

ARTICLE 5.

Vouching of Information.

The Board, or any person authorised by the Board for the purpose of this Article, may require a person who has given any information in pursuance of this Law or regulations made thereunder to furnish such documentary or other evidence of the truth of that information as it is within the power of that person to furnish.

ARTICLE 6.

Identity Cards.

(1) It shall be the duty of the Board to cause a card containing the prescribed particulars (hereafter in this Law referred to as an "identity card") to be issued with respect to every registered person in accordance with regulations made under this Article.

(2) The Royal Court shall by regulations—

- (a) prescribe the form of identity cards and require to be entered therein such particulars with respect to such of the matters specified in the Schedule to this Law as may be prescribed ;

- (b) provide for the issue of an identity card, either directly or otherwise, to the person to whom it relates, or to such other person as is deemed under the regulations to be in charge of the person to whom it relates ;
 - (c) provide for the transfer of an identity card from time to time to the person who for the time being is responsible under the regulations for the custody of the card ;
 - (d) provide for the issue to such persons or classes of persons, and in such circumstances, as may be prescribed, of identity cards valid for a limited period only ;
 - (e) provide for the issue, subject to the payment of such fee and compliance with such conditions as may be prescribed by the regulations, of fresh identity cards in place of cards which have been lost, destroyed or defaced ;
 - (f) provide for the surrender of identity cards by such persons or classes of persons, and in such circumstances, as may be prescribed, and, except where the person to whom the card relates has died or is outside the Bailiwick, for the issue of a fresh identity card in place of the surrendered card or (in the case of a card valid for a limited period only) for the endorsement of the card for a further period ;
- and the regulations may provide for the payment of rewards to persons finding and delivering to the prescribed person an identity card which has been lost.

(3) All fees received under the regulations shall be paid into the General Revenues of the States.

(4) An officer of police or any person authorised for the purpose under the said regulations, may require a person who under the regulations is for the time being responsible for the custody of an identity card forthwith to produce the card to him ;

Provided that if, within the prescribed period after the requirement was made, the person so required produces the card in person at such place and to such person as may be prescribed, he shall not be convicted

of an offence under this Law by reason of his failure to produce the card at the time when the requirement was made.

(5) Where a person fails to produce an identity card when required to do so under the last foregoing paragraph, the person who required its production may, without prejudice to the taking of proceedings in respect of the failure, require him to furnish orally or in writing particulars with respect to any of the matters specified in the Schedule to this Law.

ARTICLE 7.

Application of Law to Special Classes of Persons.

The Royal Court may by regulations provide—

- (a) that the foregoing provisions of this Law and any regulations made thereunder shall not apply, or shall apply subject to such exceptions and modifications as may be prescribed, to any such person or class of person as may be prescribed ;
- (b) for the registration or removal from the Register of any person on his ceasing to be or becoming a person who by virtue of the regulations made under this Article is not required to be registered under this Law ; and
- (c) for the surrender of an identity card relating to any person on his becoming a person who is not required to be registered as aforesaid.

ARTICLE 8.

Offences and Penalties.

(1) If any person—

- (a) in giving any information for the purposes of this Law, knowingly or recklessly makes any statement which is false in a material particular ; or
- (b) with intent to deceive—
 - (i) makes a false representation that he or any other person is the person to whom an identity card relates ; or

- (ii) allows any other person to have possession of an identity card for the custody of which he is responsible under regulations made under this Law ; or
- (iii) forges an identity card, or makes or has in his possession any document so closely resembling an identity card as to be calculated to deceive ;

he shall be guilty of an offence under this Law.

(2) If any person—

- (a) being a person employed for the purposes of this Law, publishes or communicates to any person, otherwise than in the ordinary course of such employment, any information acquired by him in the course of the employment ; or
- (b) having possession of any information which to his knowledge has been disclosed in contravention of this Law, publishes or communicates that information to any other person ;

he shall be guilty of an offence under this Law.

Provided that nothing in this paragraph shall apply to any publication or communication of information made—

- (i) for the purpose of any criminal proceedings ;
or
- (ii) to any person authorised by the Board.

(3) If any person fails to comply with any requirements duly made under this Law or contravenes or fails to comply with any regulations made under this Law, he shall be guilty of an offence under this Law.

(4) Every person who is guilty of an offence under this Law shall be liable—

- (i) in the case of an offence under paragraph (3) of this Article, to imprisonment, with or without hard labour, for a term not exceeding one

month or to a fine not exceeding five pounds, or to both such imprisonment and such fine ; and

- (ii) in the case of any other offence, to imprisonment, with or without hard labour, for a term not exceeding two years or to a fine not exceeding one hundred pounds, or to both such imprisonment and such fine.

ARTICLE 9.

Expenses.

Any expenses incurred for the purposes of this Law shall be defrayed out of the General Revenues of the States.

ARTICLE 10.

Provisions as to Regulations.

Regulations made by the Royal Court under any provision of this Law may be amended by subsequent regulations and shall remain in force until repealed.

ARTICLE 11.

Interpretation.

In this Law the following expressions have the meanings hereby respectively assigned to them :—

“appointed time” means such time as the Royal Court may by regulations appoint ;

“identity card” means an identity card issued for the purposes of this Law ;

“officer of police” means any member of the police, whether honorary or paid, acting within the territorial limits to which his authority extends ;

“prescribed”, in relation to any regulations, means prescribed by those regulations ;

“registered person” means a person for the time being registered in the Register.

ARTICLE 12.

Short Title and Duration.

(1) This Law may be cited as the National Registration (Guernsey) Law, 1945.

(2) This Law shall continue in force until such date as the Royal Court may by Ordinance determine, and shall then expire except as respects things previously done or omitted to be done.

SCHEDULE.

ARTICLES 1, 4, 6.

MATTERS WITH RESPECT TO WHICH
PARTICULARS ARE TO BE ENTERED IN
REGISTER.

1. Names.
2. Sex.
3. Age.
4. Nationality.
5. Residence.
6. Condition as to marriage.
7. Membership of Naval, Military or Air Force
Reserves or of Merchant Navy.

A. J. ROUSSEL,
Greffier du Roi.