

ACTE DE PROMULGATION DE LOI

I
1943

Sanctionnant un Projet de Loi intitulé

**“Loi conférant des pouvoirs additionnels
à Monsieur le Baillif et au Comité
dit ‘The Controlling Committee of the
States of Guernsey’”.**

(Enregistré sur les Records de l'Ile de Guernesey le
30 janvier 1943.)



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1943.

Acte de Promulgation de Loi.

Le trente janvier mil neuf cent quarante-trois, par devant Victor Gosselin Carey, écuyer, Baillif, présents: Jean Allès Simon, John Roussel, Osmond Priaulx Gallienne, Arthur Dorey, John Leale, James Frederick Carey, écuyers, Messire Abraham James Lainé, K.C.I.E., Arthur Falla, Pierre de Putron, Quartier Le Pelley et Walter John Sarre, écuyers, Jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Acte de Promulgation de Loi fait par lui-même aux qualités qu'il se porte, en date du vingt-neuf janvier mil neuf cent quarante-trois, sanctionnant un Projet de Loi intitulé "Loi conférant des Pouvoirs Additionnels à Monsieur le Baillif et au Comité dit 'The Controlling Committee of the States of Guernsey'", lequel dit Projet a été approuvé par le Feldkommandant Allemand. La Cour, ouïes les conclusions du Procureur Général, a ordonné que le dit Acte et le dit Projet de Loi seront enregistrés sur les records de cette Ile, desquels dits Acte et Projet de Loi la teneur suit:—

THIS 29th day of January, 1943.

An Act of Promulgation of Law

BY

VICTOR GOSSELIN CAREY,

Bailiff of the Island of Guernsey in exercise of the powers thereunto enabling him.

WHEREAS on the 20th day of January, 1943, the States of Deliberation adopted, subject to certain amendments, a Projet de Loi styled "Loi conférant

LE 30 JANVIER 1943.

des Pouvoirs Additionels à Monsieur le Baillif et au Comité dit 'The Controlling Committee of the States of Guernsey' ”:

AND WHEREAS the said Projet de Loi so amended has been submitted to the German Feldkommandant who thereupon accorded his approval thereto :

AND WHEREAS the Bailiff was desired by the States, subject to such approval, to accord his sanction to the said Projet de Loi :

NOW THEREFORE the Bailiff aforesaid hereby accords his SANCTION to the said Projet de Loi and promulgates the same to the intent that the same shall have the force of Law within this Island, of which Projet de Loi the tenor followeth.

AND the Bailiff aforesaid doth hereby direct that this Act of Promulgation and the said Projet de Loi be entered upon the Public Records of this Island and that all Officials and other persons whomsoever are to take notice thereof and govern themselves accordingly.

VICTOR G. CAREY,

Bailiff.

PROJET DE LOI

INTITULÉ

“LOI CONFÉRANT DES POUVOIRS ADDITIONELS A MONSIEUR LE BAILLIF ET AU COMITÉ DIT ‘THE CONTROLLING COMMITTEE OF THE STATES OF GUERNSEY’ ”.

LES ETATS ont approuvé les dispositions suivantes lesquelles, moyennant la Sanction de, et Promulgation par Monsieur le Baillif et l'Approbation de Monsieur le Feldkommandant Allemand, auront force de Loi dans le Bailliage de l'Ile de Guernesey :—

1.—(1) Whenever

- (a) any order or directions issued by or under the authority of the German Authorities is or are transmitted to the Bailiff of the Island of Guernsey and its Dependencies or to the Controlling Committee of the States of Guernsey (hereinafter styled "the Committee") for execution and it appears to the Bailiff or to the Committee, as the case may be, that, for the due execution thereof, the taking possession of land, or the requisitioning of property other than land, by the Bailiff, or the making of an Order or the giving of any direction by the Committee, is necessary or expedient: or
- (b) it appears to the Bailiff or to the Committee, as the case may be, to be necessary or expedient in the interest of the community in relation to any matter that the Bailiff should take possession of land or should requisition property other than land, or that an Order should be made or that any direction should be given by the Committee:

the Bailiff or the Committee, whichever is competent in the matter, notwithstanding that his or their powers under any other enactment do not extend, in the circumstances, to the taking possession, or requisitioning, or the making of the Order or the giving of the direction, in question, shall henceforth have power to take possession of such land or to requisition such property other than land or to make such an Order or to give such direction as the circumstances may require and, in relation to the taking possession of any such land, and the requisitioning of any such property other than land, the Bailiff may delegate his powers and may give such directions as appear to him to be necessary or expedient in connection therewith.

PROVIDED that:—

(a) in any Requisition by the Bailiff, whether as regards the taking possession of land or as regards property other than land and in any Order made or direction given by the Committee, under the provisions of this Law:

(i) if the same is carried out, made or given in consequence of an Order of or directions issued by or under the authority of the German Authorities, there shall appear a reference to the fact that the same is in pursuance of Section 1 (1) (a) of this Law: and

(ii) if the same is otherwise carried out, made or given under the provisions of this Law, there shall appear a reference to the fact that the same is in pursuance of Section 1 (1) (b) of this Law: and

(b) the right of making representations to the German Authorities in relation to any such order or directions issued by them or under their authority shall not be affected or diminished.

(2) In this Law the expression "Land" shall be interpreted in accordance with the provisions of the Defence Regulations (Guernsey), 1939.

2.—If any person shall contravene or fail to comply with any Requisition or Direction or any of the provisions of any Order carried out, given or made under the provisions of this Law, that person shall be guilty of an offence and shall be liable upon conviction—

(a) before the Police Court, to a fine not exceeding Fifty pounds or to a term of imprisonment with or without hard labour, not exceeding Three months, or to both such fine and such imprisonment: or

- (b) before the Royal Court, to a fine not exceeding Two hundred and fifty pounds or to a term of imprisonment, with or without hard labour, not exceeding Twelve months, or to both such fine and such imprisonment.

3.—The powers hereinbefore conferred upon the Bailiff and the Committee respectively shall be deemed to have been conferred upon them as on and from the 30th day of June, 1940, and every requisition made by the Bailiff, whether as regards the taking possession of land or as regards property other than land, and every Order made or direction given by the Committee, before the date of the promulgation of this Law shall be, and shall be deemed always to have been, as valid and effectual as if the same had been made or given under the provisions of this Law.

4.—This Law may be cited as “The Additional Powers (The Bailiff and the Controlling Committee) Law, 1943”.

A. J. ROUSSEL,
Greffier.

Genehmigt (approved)
Der Feldkommandant
gez. KNACKFUSS,
Oberst.

Jersey, den 14 November, 1942.

No objection to amendments
made by the States.
Dr. BROSCHE, K.V.R.
25.1.43.