

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973

(Registered on the Records of the Island of Guernsey
on the 1st day of October, 1973.)



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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 1st day of October, 1973, before John Henry Loveridge, Esquire, C.B.E., Bailiff; present:— Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Esquire, Gilbert Carey de Jersey, Esquire, C.B., D'Arcy George Le Tissier, Esquire, Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Richard Alan Kinnersly, Richard Brook Sutcliffe and Richard Oliver Symons, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 27th day of July, 1973, ratifying a *Projet de Loi* of the States of Alderney entitled "The Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 27th day of July 1973

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 20th day of July 1973, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee a humble Petition of George William Baron, Esquire, President of the States of Alderney setting forth:—

‘That at a meeting of the States of Alderney held on the 2nd day of May 1973, the States adopted a Resolution that a *Projet de Loi* entitled “The Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973”, be approved: That at the meeting of the States aforesaid Your humble Petitioner was authorised to present to Your Majesty in Council a Petition that the said *Projet de Loi* be sanctioned: That the said *Projet de Loi* is set forth in the words and figures of the Schedule hereunto annexed: And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the *Projet de Loi* entitled “The Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973” and to order that

the same shall have the force of law within the Island of Alderney.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the *Projet de Loi* annexed thereto, 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*."

HER MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of Her 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 Island of Alderney.

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

W. G. Agnew.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973

THE STATES, in pursuance of their Resolution of the seventh day of March, nineteen hundred and seventy-three, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Alderney.

1. Section one of the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 (hereinafter referred to as "the principal Law") (a), is hereby amended as follows:—

Amendment
to Law
of 1964.

(a) immediately after subsection (1) thereof there is inserted the following additional subsection numbered "(2)"—

" (2) Any reference in Part II of this Law to children of the marriage, however expressed, shall be construed, in relation to one or both of the parties to a marriage, as including an illegitimate or adopted child of that party or, as the case may be, of both parties and any other child, not being a child who has been boarded-out with those parties by the States of Guernsey Children Board or otherwise, who has been

(a) Ordres en Conseil Vol. XIX, p. 241.

treated by both of those parties as a child of the marriage; and “adopted” means adopted in pursuance of—

- (a) an adoption order made under the Adoption (Guernsey) Law, 1960; or
 - (b) an adoption order made in any part of the United Kingdom, in the Isle of Man or in the Island of Jersey; or
 - (c) subject to sections six and seven of the Adoption (Guernsey) Law, 1970, an overseas adoption within the meaning of section five of that Law.”;
- (b) subsections (2) and (3) thereof are renumbered as subsections “(3)” and “(4)” respectively.

Citation.

2. This Law may be cited as the Separation, Maintenance and Affiliation Proceedings (Amendment) (Alderney) Law, 1973.

Collective title.

3. This Law and the principal Law may be cited together as the Separation, Maintenance and Affiliation Proceedings (Alderney) Laws, 1964 and 1973.

R. H. VIDELO,

Her Majesty's Greffier.