

ORDER IN COUNCIL

XV
1994

ratifying a Projet de Loi

ENTITLED

The Ecclesiastical Court (Jurisdiction) (Bailiwick of Guernsey) Law, 1994

(Registered on the Records of the Island of Guernsey
on the 23rd August, 1994.)



1994

The Ecclesiastical Court (Jurisdiction) (Bailiwick of Guernsey) Law, 1994

THE STATES, in pursuance of their Resolutions of the 30th day of January, 1985^a and the 29th day of September, 1993^b, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Jurisdiction of the Ecclesiastical Court.

1. It is hereby declared for the avoidance of doubt that the jurisdiction of the Ecclesiastical Court in respect of the inheritance of personal property is limited to-

- (a) the grant of probate of the wills of deceased persons;
and
- (b) the grant of letters of administration of the estates of deceased persons.

No jurisdiction in cases of dispute.

2. The Ecclesiastical Court shall not have jurisdiction-

- (a) except in accordance with directions of the Royal Court under section 3, to make a grant of probate or letters of administration in any case in which a caveat lodged with the Registrar of the Ecclesiastical Court is in force in respect of a dispute of fact or law (whether

^a Article I of Billet d'État No. I of 1985.

^b Article XVI of Billet d'État No. XVIII of 1993.

as to the content, construction, application, validity or admissibility to probate of any will or otherwise);

- (b) to make any adjudication in respect of any such dispute.

Directions of the Royal Court.

3. The Royal Court may, in any proceedings before it, give such directions to the Ecclesiastical Court in relation to the grant of probate or letters of administration as the Royal Court thinks fit.

References under Rules of Court.

4. The Royal Court sitting as a Full Court may, by Rules of Court-
- (a) require the Ecclesiastical Court to refer to the Royal Court for directions under section 3 such matters as may be prescribed in the Rules;
 - (b) specify the circumstances and the manner in which any such matters are to be so referred, and the time within which they are to be so referred;
 - (c) make such provision as the Royal Court considers appropriate as to the determination by it of any matter so referred.

Citation.

5. This Law may be cited as the Ecclesiastical Court (Jurisdiction) (Bailiwick of Guernsey) Law, 1994.

Commencement.

6. This Law shall come into force on the 28th day after the date of its registration on the records of the Island of Guernsey.