

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Government of Alderney (Amendment) Law, 1969

(Registered on the Records of the Island of Guernsey
on the 26th day of August, 1969.)



1969.

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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 26th day of August, 1969, before Sir William Arnold, Kt., C.B.E., Bailiff; present :—Bertram Guy Blampied, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Albert Victor Dorey, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, and Jean Le Pelley, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 25th day of June, 1969, ratifying a *Projet de Loi* entitled "The Government of Alderney (Amendment) Law, 1969", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller 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 25th day of June 1969

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT

MR SECRETARY SHORT

CHANCELLOR OF THE DUCHY OF LANCASTER

MR ROBINSON

MR HUGHES

SIR GEOFFREY CROSS

MR HOY

MR IRVING

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 16th day of June 1969, 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 Sydney Peck Herivel, Esquire, C.B.E., D.S.C., President of the States of Alderney, setting forth:

‘That at a meeting of the States of Alderney held on the fourteenth day of May 1969, the States adopted a Resolution that a *Projet de Loi* entitled “The Government of Alderney (Amendment) Law, 1969” 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 Government of Alderney (Amendment) Law, 1969" and 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 Government of Alderney (Amendment) Law, 1969

THE STATES, in pursuance of their Resolution of the ninth day of January, nineteen hundred and sixty-nine, 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.

Amendment of Principal Law

1. The Government of Alderney Law, 1948(a), as amended(b), is hereby further amended as follows, that is to say:—

- (a) in subsection (1) of section twenty thereof, the words “twenty-five” are hereby repealed and the word “fifty” is hereby substituted therefor;
- (b) immediately after section twenty-two thereof there is hereby inserted the following additional section designated “22A” and the following marginal heading thereto—

“Costs

22A. (1) The costs of and incidental to all civil proceedings in the Court shall be

(a) Ordres en Conseil Vol. XIII, p. 416.

(b) Ordres en Conseil Vol. XVI, p. 202.

in the discretion of the Court, and the Court shall have power to determine by whom and to what extent the costs are to be paid.

(2) The Court may from time to time, by rules made under this subsection, prescribe the fees payable to the Court and to the Clerk of the Court in respect of civil proceedings in the Court and the fees and expenses recoverable by a party in any case where costs are awarded to that party under subsection (1) of this section.

(3) The Court may order any person convicted of any offence in any criminal proceedings in the Court to pay to any other person attending the Court to give evidence in those proceedings an allowance, calculated at such rate as the Court may from time to time prescribe by rules made under this subsection, in respect of such other person's attendance.”;

- (c) section twenty-seven thereof and the marginal heading to that section are hereby repealed and the following section and marginal heading are hereby respectively substituted therefor—

“Deputy Clerk of the Court.

27. (1) the Court shall from time to time appoint a person to be styled “The Deputy Clerk of the Court” (hereafter in this section referred to as “the Deputy Clerk”) to act in the place and stead of the Clerk of the Court during any period when the Clerk of the Court is absent from his duties by reason of illness or

otherwise and may at any time revoke any appointment made under this section.

(2) Where the States are party to legal proceedings in the Court, other than proceedings relating to the assessment of property for rates or the recovery of rates, and the Clerk of the Court is the same person as the Clerk of the States, the Deputy Clerk shall act in the place and stead of the Clerk of the Court for the purpose of such proceedings.

(3) The Deputy Clerk shall, while acting in the place and stead of the Clerk of the Court, have all powers conferred by law on the Clerk of the Court.

(4) The Deputy Clerk shall be paid such fee as the Court thinks fit in respect of the performance by him of his duties as the Deputy Clerk and such fee shall be part of the expenses of administering justice in Alderney."

Citation

2. This Law may be cited as the Government of Alderney (Amendment) Law, 1969, and this Law and the Government of Alderney Laws, 1948 to 1955, may be cited together as the Government of Alderney Laws, 1948 to 1969.

R. H. VIDELO,

Her Majesty's Greffier.