

ORDER IN COUNCIL

II
1990

ratifying a Projet de Loi

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 20th March, 1990.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 20th day of March, 1990 before Sir Charles Frossard, Kt., Bailiff; present:— Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th February, 1990, approving and ratifying a *Projet de Loi* entitled "The Reform (Amendment) (Guernsey) Law 1990"; 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, of which Order in Council the tenor followeth:—

At the Court of Saint James

The 14th day of February 1990

PRESENT,

The Counsellors of State in Council

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 18th day of January 1990, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND 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 26th day of January 1990 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 the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 24th day of June 1987, the States of Deliberation at a meeting held on the 27th day of September 1989 approved a Bill or “Projet de Loi” entitled “The Reform (Amendment) (Guernsey) Law, 1990” and requested the Bailiff to present a most humble Petition to Your

Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or "Projet de Loi" is set forth in the Schedule hereunto annexed. And most humble praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Reform (Amendment) (Guernsey) Law, 1990", and to order that the same shall have force of law in the Islands of Guernsey, Herm and Jethou.'

"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."

NOW, THEREFORE, Her Majesty Queen Elizabeth, The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, have taken the said Report into consideration and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf, approve of and ratify the said Projet de Loi, and order, and and it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Herm and Jethou.

AND do 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 in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G. I. de Deney.

PROJET DE LOI

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1990

THE STATES, in pursuance of their Resolution of the 24th day of June, 1987, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

1. Article 65 of the Reform (Guernsey) Law, 1948, as amended, (hereinafter referred to as "the Law of 1948")^(a), is hereby further amended as follows:—

Amend-
ments to
Law of 1948.

(a) in paragraph (1) thereof, a full stop is inserted immediately after the bracket where it appears the second time and all the words immediately thereafter beginning with the words "consisting of" and ending with the words "governing the President" are repealed;

(b) paragraphs (2), (3), (4) and (5) thereof are repealed and the following paragraph numbered "(2)" is substituted therefor—

"(2) The constitution of the Committee shall be such as shall, from time to time, be prescribed by the States by Resolution."

2. On the date of the reconstitution of the Committee first occurring as shall be prescribed by the Savings.

(a) Ordres en Conseil Vol. XIII, p. 288; Vol. XIV, p. 467; Vol. XV, p. 279; Vol. XVI, p. 178; Vol. XVIII, p. 275; Vol. XIX, pp. 84 and 140; Vol. XXII, p. 122; Vol. XXIII, p. 476; Vol. XXV, p. 326; Vol. XXVI, p. 255; No. XXV of 1984; No. VIII of 1985; No. II of 1987; No. VII of 1988.

States by Resolution in accordance with the provisions of Article 65 of the Law of 1948, as amended by section 1 of this Law, the President and every other member of the former Committee in office on that date shall be deemed to have resigned:

Provided that such President and every such other member shall be deemed lawfully to continue in office during the period between the date of registration of this Law on the records of the Island of Guernsey and the date of the reconstitution of the Committee as aforesaid and the acts of the former Committee during such aforesaid period shall be valid and binding for all purposes and on all persons accordingly and anything in process of being done under or by virtue of the Law of 1948 by, or in relation to the former Committee at such aforesaid date, whether by way of legal proceedings or otherwise, may be continued by, or in relation to the reconstituted Committee and in this section, the expression "former Committee" means the Committee constituted under the Law of 1948, the expression "reconstituted Committee" means the Committee constituted under the Law of 1948 as amended by this Law and the expression "Committee" shall be construed accordingly.

Amend-
ment to Law
of 1988.

3. The Reform (Amendment) (Guernsey) Law, 1988(b), is hereby amended as follows:—

- (a) in the heading thereto the brackets, word and figure "(No. 2)" are repealed;
- (b) in section 3 thereof the brackets, word and figure "(No. 2)" are repealed and the figures "1987" are repealed and the figures "1988" are substituted therefor.

(b) No. VII of 1988.

4. Except where the context otherwise requires, any reference in this Law to any other enactment shall be construed as including a reference to that enactment as amended, repealed, replaced, extended or applied by or under any other enactment including this Law. Interpretation.

5. This Law shall be construed as one with the Law of 1948. Construction.

6. This Law may be cited as the Reform (Amendment) (Guernsey) Law, 1990. Citation.

7. This Law and the Reform (Guernsey) Laws, 1948 and 1988, may be cited together as the Reform (Guernsey) Laws, 1948 to 1990. Collective title.

K. H. TOUGH,

Her Majesty's Greffier.