

ORDER IN COUNCIL

XI
1975

ratifying a Projet de Loi

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1975

(Registered on the Records of the Island of Guernsey
on the 21st day of October, 1975.)



1975

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 21st day of October, 1975, before Sir John Loveridge, Kt., C.B.E., Bailiff; present:—Claude Fortescue Nason, Stanley Walter Gavey, D'Arcy George Le Tissier, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Richard Alan Kinnersly, Esquires, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires and Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 17th day of September, 1975, ratifying a *Projet de Loi* entitled "The Reform (Amendment) (Guernsey) Law, 1975", 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, of which Order in Council the tenor followeth:—

At the Court at Balmoral

The 17th day of September 1975

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 10th day of September 1975, 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 Resolutions of the 31st day of May 1972 and of the 29th day of January 1975, the States of Deliberation at a meeting held on the 26th day of February 1975, approved a Bill or “Projet de Loi” entitled “The Reform (Amendment) (Guernsey) Law, 1975” 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 in the words and figures set forth in the Schedule hereunto annexed. And most humbly 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, 1975” 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."

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 Islands of Guernsey, Herm and Jethou.

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

N. E. Leigh

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

PROJET DE LOI

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1975

THE STATES, in pursuance of their Resolutions of the thirty-first day of May, nineteen hundred and seventy-two, and of the twenty-ninth day of January, nineteen hundred and seventy-five, 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. The Reform (Guernsey) Law, 1948(a), as amended(b), is hereby further amended as follows, that is to say:—

Amend-
ment of
principal
Law.

(a) in Article 10 thereof, there are hereby inserted, immediately after paragraph (2), the following two paragraphs—

“(2A) Subject to the provisions of paragraph (2B) of this Article, at an election for the office of Conseiller, where the number of candidates is greater than the number of vacancies, no candidate shall be declared elected unless he has polled a number of votes greater than one-half of the number of members of the States of Election present at the meeting at which the election is held.

(a) Ordres en Conseil Vol. XIII, p. 288.

(b) Ordres en Conseil Vol. XIV, p. 407; Vol. XV, p. 279; Vol. XVIII, p. 275; Vol. XIX, p. 84 and p. 140; and Vol. XXIII, p. 476.

(2B) Where a second ballot becomes necessary at an election for the office of Conseiller by reason of the application of the provisions of paragraph (2A) of this Article, those provisions shall not apply in relation to the second ballot, which shall be held at the same meeting of the States of Election at which the first ballot was held.”;

(b) in Article 12 thereof, for the reference to the 31st day of August there is hereby substituted a reference to the 31st day of October;

(c) paragraph (1) of Article 15 thereof is hereby repealed and the following paragraph is hereby substituted therefor—

“(1) The Douzaine Representatives in the States of Election shall consist of the ten Douzaine Representatives elected to the States of Deliberation in pursuance of the provisions of Article 14 of this Law and twenty-four additional Douzaine Representatives elected for each meeting of the States of Election by their respective Douzaines, as follows:—

(a) from the Parish of Saint Peter Port, ten Douzeniers;

(b) from the Parish of Saint Sampson, three Douzeniers;

(c) from the Parish of the Vale, four Douzeniers;

(d) from the Parish of the Castel, three Douzeniers;

(e) from the Parish of Saint Martin, three Douzeniers; and

(f) from the Parish of Saint Andrew,
one Douzenier.”;

- (d) paragraph (2) of Article 25 thereof is hereby repealed and the following paragraph is hereby substituted therefor—

“(2) There shall be shown on the Electoral Roll in respect of every voter his surname, Christian names and full postal address, and such distinguishing number as shall be assigned to him for the purpose by the Registrar-General.”;

- (e) in paragraph (3) of Article 27 thereof, for the words “which shall contain the full names and addresses of all the persons who voted at that polling station” there are hereby substituted the words “which shall, in respect of every person who voted at that polling station, specify his surname, the initials of his Christian names and the number assigned to him in pursuance of the provisions of paragraph (2) of Article 25 of this Law”;

- (f) Article 39 thereof is hereby repealed and the following Article is hereby substituted therefor—

“39. At every election the poll shall open at ten o'clock in the morning and shall be kept open until eight o'clock in the evening of the same day:

Provided that the States may from time to time by Ordinance vary the times at which the poll shall open and close.”; and

- (g) immediately after Article 45 thereof there is hereby inserted the following Article and marginal heading—

"Expenditure by persons other than candidates.

45A. (1) Except as authorised under the provisions of Article 44 of this Law, a person shall not expend any sum of money or give any value in money's worth with a view to promoting or procuring the election of a candidate in any election:

Provided that nothing in this Article shall be taken to restrict the publication in a newspaper or in a broadcast by radio or television of a statement presenting the views of a candidate.

(2) Any person who contravenes the provisions of this Article shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds."

Citation and collective title.

2. (1) This Law may be cited as the Reform (Amendment) (Guernsey) Law, 1975.

(2) This Law and the Reform (Guernsey) Laws, 1948 to 1972, may be cited together as the Reform (Guernsey) Laws, 1948 to 1975.

R. H. VIDELO,
Her Majesty's Greffier.