

# ORDER IN COUNCIL

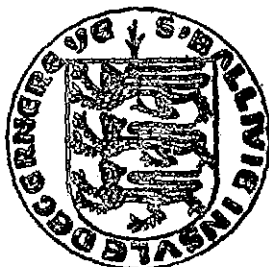
V  
1947

Sanctioning a Projet de Loi entitled

**"The Matrimonial Causes Law, (Guernsey)  
1939, Amendment Law (No. 2), 1946".**

---

(Registered on the Records of the Island of Guernsey the  
29th March, 1947).



PRINTED BY THE  
GUERNSEY "STAR" AND "GAZETTE" CO., LTD.  
BORDAGE STREET.

---

1947.

# ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 29th March, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., James Frederick Carey, Esquire, Sir Abraham James Lainé, K.C.I.E., Arthur Falla, Pierre de Putron, Quartier Le Pelley, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., and William Robert Freake Clark, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council ratifying a *Projet de Loi* entitled " The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946 ". The Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur, ordered that the said Order in Council be registered on the Records of this Island and that an extract of this Act of Court together with a copy of the said Order in Council be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands, of which Order in Council the tenor followeth :—

## **At the Court of Saint James.**

The 10th day of March 1947.

### **Present,**

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER,  
VISCOUNT LASCELLES.

LORD PRIVY SEAL.

LORD PETHICK-LAWRENCE.

VISCOUNT MOUNTBATTEN OF BURMA,

MR. SECRETARY CREECH-JONES,

MR. SECRETARY NOEL-BAKER.

THE 29th MARCH, 1947.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.L., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom to summon and hold on His Majesty's behalf His Privy Council and to signify thereat His Majesty's approval of any matter or thing to which His 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 8th day of February, 1947, in the words following, viz :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That the Royal Court, at a sitting held on the 12th day of October, 1946, adopted a Bill or “ *Projet de Loi* ” entitled “ The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946,” and requested the Bailiff to submit the same to the States of Deliberation for approval: 2.—That at a sitting of the States held on the 27th day of December, 1946, the said Bill or “ *Projet de Loi* ” was duly considered, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 3.—That the Judge of the Island of Alderney, as respects that Island, the States of that Island not being con-

stituted at the present time, concurs in the terms of the said Bill. 4.—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 Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946,*” and to order and direct that the same shall have force of Law in the Bailiwick of the Island of Guernsey.’

“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, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorized thereto by the said Letters Patent have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty’s Privy Council, on His Majesty’s behalf approve of and ratify the said “*Projet de Loi*,” and order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of the Island of Guernsey.

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 or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His 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.

*E. C. E. Leadbitter.*

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

## PROJET DE LOI

ENTITLED

### **“The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946”.**

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Bailiwick of the Island of Guernsey :

Where, during the period commencing on the 30th day of June, 1940, and ending on the 1st day of January, 1942, the circumstances were such that a decree of divorce or for judicial separation might have been pronounced by the Court, on one or other of the grounds mentioned in paragraph (f) of Section (1) of Article 16 of the Matrimonial Causes Law (Guernsey), 1939, had that Law been in operation during that period, then, notwithstanding that the petition is presented later than ten years after the date of the sentence referred to in that paragraph and in the proviso thereto and that at the time of the pronouncement of the decree or of the presentation of the petition the respondent is no longer undergoing penal servitude or imprisonment or in confinement as a criminal lunatic, the provisions of that paragraph and of that proviso shall be deemed to have been sufficiently complied with so far as regards a petition for divorce presented before the 1st day of January, 1948, and the Court may pronounce a decree of divorce or for judicial separation accordingly.

PETER J. MAUGER,

H.M. Greffier.