

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Matrimonial Matters (Evidence) (Guernsey) Law, 1953.

(Registered on the Records of the Island of Guernsey
on the 27th day of June, 1953.)



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1953.

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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 27th day of June, 1953, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present : Ernest de Garis, Esquire, O.B.E., Arthur Falla, Walter John Sarre, William Robert Freake Clark, Walter John Gavey, Ernest Francis Laviné, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx, Stephen James Falla and Wilfred John Corbet, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 28th day of May, 1953, ratifying a *Projet de Loi* entitled "The Matrimonial Matters (Evidence) (Guernsey) Law, 1953",—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, 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 and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace,

The 28th day of May, 1953.

PRESENT,

The Queen's Most Excellent Majesty

LORD CHANCELLOR

PRIME MINISTER

LORD PRESIDENT

VISCOUNT SWINTON

SECRETARY SIR DAVID MAXWELL FYFE

MR. SECRETARY LYTTTELTON

MR. SECRETARY STUART

SIR ALAN LASCELLES

SIR OWEN DIXON.

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 29th day of April, 1953, 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 25th day of February, 1953, the States of Deliberation at a meeting held on the 8th day of April, 1953, approved a Bill or “Projet de Loi” entitled “The Matrimonial Matters (Evidence) (Guernsey) Law, 1953” 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 Matrimonial Matters (Evidence) (Guernsey) Law, 1953" and to order that the same shall have the force of Law in the Bailiwick 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."

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 Bailiwick of Guernsey.

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.

W. G. Agnew.

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

PROJET DE LOI

ENTITLED

**The Matrimonial Matters (Evidence)
(Guernsey) Law, 1953.**

THE STATES, in pursuance of their Resolution of the 25th February, 1953, 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.

1. Notwithstanding any rule of law, the evidence of a husband or wife shall be admissible in any proceedings to prove that marital intercourse did or did not take place between them during any period.

2. Notwithstanding anything in the last preceding section or any rule of law, a husband or wife shall not be compellable in any proceedings to give evidence of the matters aforesaid.

JAMES E. LE PAGE,

Her Majesty's Greffier.