

ORDER IN COUNCIL

XVII

1987

ratifying a Projet de Loi

ENTITLED

The Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 15th day of December, 1987.)



1987.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 15th day of December, 1987 before Sir Charles Frossard, Kt., Bailiff; present:—Donald Pescott Plummer, Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley and Leonard Arthur Moss, Esquires, Jurats

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 21st October 1987, approving and ratifying a *Projet de Loi* entitled "The Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987," THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered:—

1. That the said Order in Council be registered on the records of this Island.
2. 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 of Saint James

The 21st day of October 1987

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 17th day of September 1987, 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 13th day of October 1987 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 6th day of November 1986, the States of Deliberation at a meeting held on the 29th day of April 1987 approved a Bill or “Projet de Loi” entitled “The Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987”, and re-

requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the States of the Island of Alderney at a meeting held on the 3rd day of June, 1987, considered the said Bill or "Projet de Loi" when a Resolution was passed agreeing to the application of the same to Alderney. 3. That the said Bill or "Projet de Loi" is as 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 Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987", and to order that the same shall have force of law in the Islands of Guernsey and Alderney.'

"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 Prince Andrew, Duke of York, and Her Royal Highness The Princess Royal, being authorised thereto by the said Letters Patent, having taken the said Report into consideration, are pleased, by and with the advice of Her Majesty's Privy Council, to approve of and ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey and Alderney.

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 Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987

THE STATES, in pursuance of their Resolution of the 26th day of November, 1986, 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 and Alderney.

1. Articles 1, 2 and 3 of the Ordinance of the Royal Court entitled "Projet d'Ordonnance ayant rapport à la Juridiction de la Cour d'Auregny en Matières Criminelles", approved by His Majesty in Council and registered on the records of the Island of Guernsey on 13th February 1926(a) are repealed.

Criminal
jurisdiction
of Court of
Alderney.

2. (1) The Agreement between the Royal Court of Guernsey and the Court of Alderney defining the relative powers of the Royal Court and the Court of Alderney in the passing of Ordinances and the Position of the Royal Court with reference to Projets de Loi affecting Alderney, approved by His Majesty in Council and registered on the records of the Island of Guernsey on 13th February 1926(b) is repealed.

Alderney
Ordinances
and Projets
de Loi.

(a) Ordres en Conseil Vol. VII, p. 437.

(b) Ordres en Conseil Vol. VII, p. 441.

(2) Section 6 of the Alderney (Application of Legislation) Law, 1948(c) is repealed.

Legal aid on
appeal and
costs of
abandoned
appeal.

3. In the Court of Alderney (Appeals) Law, 1969(d)—

- (a) in the proviso to section 8(4), for “ten pounds” there is substituted “£40 or such higher sum as the States of Alderney may from time to time by Ordinance prescribe,” and for “twenty-five pounds” there is substituted “£100 or such higher sum as the States of Alderney may from time to time by Ordinance prescribe”;
- (b) in section 10(2)(b), for “fifteen pounds” there is substituted “£60 or such higher sum as the States of Alderney may from time to time by Ordinance prescribe”.

Minor con-
sequential
amendments.

4. (1) In the Magistrate’s Court (Guernsey) Law, 1954, as amended(e),—

- (a) in section 17(1), immediately after “subsection (2) of section twenty of the Government of Alderney Law, 1948,” there is inserted “or section 12(4) of the Government of Alderney Law, 1986,”;
- (b) section 20 is repealed.

(2) In section 3(1)(b) of the Offences against Police Officers (Bailiwick of Guernsey) Law, 1963(f), immediately after “the said police force” there is inserted “, a special constable appointed by the Court of Alderney under section 15(1) of the Government of Alderney Law, 1986”.

(c) Ordres en Conseil Vol. XIII, p. 448; Vol. XVI, p. 126; Vol. XXIV, p. 210; No. XIV of 1986.

(d) Ordres en Conseil Vol. XXII, p. 192.

(e) Ordres en Conseil Vol. XVI, p. 103; Vol. XVII, p. 218; No. XII of 1979; No. I of 1983; No. IV of 1984.

(f) Ordres en Conseil Vol. XIX, p. 123.

(3) In section 7(1) of the States of Guernsey (Representation of Alderney) Law, 1978(g), for the definition of "annual meeting" there is substituted:

" "annual meeting" means the meeting of the States of Alderney held under section 41(2) of the Government of Alderney Law, 1986;"

5. This Law may be cited as the Government of Alderney (Miscellaneous and Consequential Provisions) (Guernsey and Alderney) Law, 1987.

K. H. TOUGH,
Her Majesty's Greffier.