

ORDER IN COUNCIL

**XVI
1974**

ratifying a Projet de Loi

ENTITLED

The Gambling (Bailiwick of Guernsey) Law, 1974

(Registered on the Records of the Island of Guernsey
on the 3rd day of December, 1974.)



ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 3rd day of December, 1974, before John Henry Loveridge, Esquire, C.B.E., Bailiff; present:— Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., D'Arcy George Le Tissier, Esquire, 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 and Albert Richard McCartney Straw, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of November, 1974, ratifying a Projet de Loi entitled "The Gambling (Bailiwick of Guernsey) Law, 1974", 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 14th day of November 1974

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 28th day of October 1974, 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 1st day of March 1973, the States of Deliberation at a meeting held on the 31st day of July 1974, approved a Bill or “Projet de Loi” entitled “The Gambling (Bailiwick of Guernsey) Law, 1974” which Bill is designed to apply to the Bailiwick of Guernsey, and 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 4th day of September 1974, 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 Chief Pleas of the Island of Sark at a meeting held on the 2nd day of October 1974, considered the said

Bill or "Projet de Loi" when a Resolution was passed agreeing to the application of the same to Sark. 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 Gambling (Bailiwick of Guernsey) Law, 1974" and to order that the same shall have 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.

N. E. Leigh.

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

PROJET DE LOI

ENTITLED

The Gambling (Bailiwick of Guernsey) Law, 1974

THE STATES, in pursuance of their Resolution of the first day of March, nineteen hundred and seventy-three, 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. The Gambling (Guernsey) Law, 1971(a), is hereby amended as follows:—

Amend-
ment of
Law of
1971.

(a) in section eight thereof—

(i) for the full stop at the end of subsection (2) there shall be substituted a semi-colon and the following paragraph—

“(c) the distribution by a licensed pool agent on behalf of a registered pool promoter who is the principal of such agent to persons in the Island of Guernsey of entry forms relating to a pool betting competition promoted by such registered pool promoter, or to the collection by such agent of completed entry forms and entry fees from persons in the Island of Guernsey and the despatch of

(a) Ordres en Conseil No. IV of 1971.

such forms and fees to such registered pool promoter.”;

- (ii) there shall be inserted immediately after subsection (2) the following subsection—

“(3) In this section the expression “stranger” means a person who is not actually present in the Bailiwick of Guernsey, or, in the case of a lottery promoted by the States and the States of Jersey, is not actually present in the Channel Islands, and includes a body corporate whether incorporated in the Bailiwick of Guernsey or elsewhere.”;

- (b) in subsection (1) of section thirteen thereof—

- (i) for the semi-colon at the end of the definition of the expression “book-maker” there shall be substituted a comma and the following words—
“but does not include a licensed pool agent,”;

- (ii) there shall be inserted, immediately after the definition of the expression “lawful gambling”, the following definition—

“ “licensed pool agent” means a person who in accordance with the provisions of an Ordinance made under the provisions of section two of this Law is authorised by way of business to distribute, collect or despatch within the Island entry forms and entry fees relating to a pool betting competition

promoted in the United Kingdom by a registered pool promoter;”;

- (iii) there shall be inserted, immediately after the definition of the expression “premises”, the following definition—

“ “registered pool promoter” means a person who is a registered pool promoter for the purposes of the Betting, Gaming and Lotteries Act 1963;”;

- (iv) the definition of the expression “stranger” shall be repealed.

2. (1) The States of Guernsey may from time to time by Ordinance make such provision as they may deem necessary or expedient for the conduct or regulation of the Channel Islands Lottery in the Bailiwick of Guernsey and, without prejudice to the generality of the foregoing, they may, in particular, make provision in any such Ordinance empowering the States of Guernsey Gambling Control Committee to exercise such powers and to perform such duties as may be thereby conferred or imposed upon it.

(2) In this section the expression “the Channel Islands Lottery” means any lottery promoted by the States of Guernsey and the States of Jersey.

3. (1) The provisions of this Law other than the provisions of section one thereof shall have effect throughout the Bailiwick of Guernsey.

(2) The provisions of section one of this Law shall have effect only in the Islands of Guernsey, Herm and Jethou.

Citation. 4. This Law may be cited as the Gambling
(Bailiwick of Guernsey) Law, 1974.

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