

# ORDER IN COUNCIL

**XX  
1991**

ratifying a Projet de Loi

ENTITLED

## **The States Committees (Constitution and Amendment) (Guernsey) Law, 1991**

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(Registered on the Records of the Island of Guernsey  
on the 20th day of January, 1992.)

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1991

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 20th day of January, 1992 before Sir Charles Frossard, K.B.E., Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley, Kenneth John Rowe, Lawrence Oscar Ozanne and John Richard Rowe Henry, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 19th November, 1991, approving and ratifying a *Projet de Loi* entitled “The States Committees (Constitution and Amendment) (Guernsey) Law, 1991”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller 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 Buckingham Palace**

The 19th day of November 1991

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 15th day of October, 1991 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 6th day of March 1991 and the 14th day of March 1991 the States of Deliberation at a meeting held on the 31st day of July 1991, approved a Bill or “Projet de Loi” entitled “The States Committees (Constitution and Amendment) (Guernsey) Law, 1991”, 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 as 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 States Committees (Constitution and Amendment) (Guernsey) Law, 1991”, and to order that the same shall have force of Law in 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.”

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 Island 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.

*G. I. de Deney*

# PROJET DE LOI

ENTITLED

## **The States Committees (Constitution and Amendment) (Guernsey) Law, 1991**

THE STATES, in pursuance of their Resolutions of 6th March and 14th March, 1991(a), have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

### Constitution of States Committees.

1.(1) Subject to subsection (2), the constitution of any committee may be prescribed by Resolution of the States.

(2) A Resolution under subsection (1) or under any relevant enactment shall not apply in relation to a committee to the extent that contrary provision is made in relation thereto by an enactment.

(3) In this section -

"committee" means any committee, board, authority or other body of the States, whether established by Resolution or by an enactment;

"relevant enactment" means an enactment providing (in whatever terms) that the constitution of a committee shall be prescribed by Resolution of the States.

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(a) Article IX of Billet d'Etat No. V, 1991 and Article XII of Billet d'Etat No. VII, 1991.

(4) In this section and in any relevant enactment the expression "constitution" includes all aspects of the committee's constitution and all matters ancillary thereto including (without prejudice to the generality of the foregoing) -

- (a) the size and composition of the committee's membership;
- (b) the nomination, election, co-option, term of office, retirement and replacement of the committee's members, Presidents and Vice-Presidents;
- (c) the qualifications for office (including any requisite special interests) and the termination of office of the committee's members, Presidents and Vice-Presidents, and the designation of classes of persons who are disqualified from office;
- (d) the committee's quorum and its voting procedures;
- (e) the conduct of the committee's proceedings;
- (f) the establishment, functions and constitution of the committee's sub-committees; and
- (g) the frequency with which and manner in which the committee is to be convened.

Amendment to Industrial Disputes Law.

2. In Article 21 of the Industrial Disputes and Conditions of Employment Law, (1947), as amended(b), in the definition of "the Committee" for the words "Labour and Welfare Committee" substitute "Board of Employment, Industry and Commerce or such other committee as the States may by Resolution appoint".

Amendment to Hawkers Laws.

3.(1) In section 20(1) of the Hawkers and Non-Resident Traders Guernsey) Law, 1980, as amended(c), in the definition of "the Board" for "Ordinance" substitute "Resolution".

(2) In section 3 of the Hawkers and Non-Resident Traders (Amendment) (Guernsey) Law, 1989, for "Ordinance" substitute "Resolution".

Repeals.

4. The enactments specified in the Schedule are repealed.

Citation.

5. This Law may be cited as the States Committees (Constitution and Amendment) (Guernsey) Law, 1991.

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- (b) Ordres en Conseil Vol. XIII, p.1; Vol. XXIII, p.211.  
(c) Ordres en Conseil Vol. XXVII, p.218; and No. XVII of 1989.

SCHEDULE

Section 3

Enactments repealed

1. The States Committees (Guernsey) Law, 1949(d).
2. The States Committees (Special Provisions) (Guernsey) Law, 1950(e).
3. The States Committees (Amendment) Law, 1953(f).
4. The States Board of Administration (Transfer of Functions) Law, 1974(g).
5. Paragraph 16 of Schedule 2 to the Financial Services Commission (Bailiwick of Guernsey) Law, 1987(h).
6. Section 2 of the Trading Stamps (Amendment) (Guernsey) Law, 1990(i).
7. Articles 3(8) and 4 of the Mental Treatment Law (Guernsey) 1939(j).
8. The States Committees (Special Provisions) (Amendment) (Guernsey) Law, 1986(k).

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- (d) Ordres en Conseil Vol. XIV, p.187.
  - (e) Ordres en Conseil Vol. XIV, p.439.
  - (f) Ordres en Conseil Vol. XV, p.407.
  - (g) Ordres en Conseil Vol. XXIV, p.250.
  - (h) No. XIX of 1987.
  - (i) No. XXII of 1990.
  - (j) Ordres en Conseil Vol. XI, p.405.
  - (k) No. IX of 1986.