

ORDER IN COUNCIL

I

ratifying a Projet de Loi

1965

ENTITLED

The Emergency Powers (Bailiwick of Guernsey) Law, 1965

(Registered on the Records of the Island of Guernsey
on the 2nd day of March, 1965.)



1965.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 2nd day of March, 1965, before Dr. Francis Coningsby, Lieutenant-Bailiff; present : Sir John Leale, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Albert Victor Dorey, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, and William Burton Fox, Esquires, Jurats.

The Lieutenant-Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 29th day of January, 1965, ratifying a *Projet de Loi* entitled "The Emergency Powers (Bailiwick of Guernsey) Law, 1965", 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 29th day of January, 1965.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

MR. LEE

MRS. CASTLE

MR. ROBINSON.

SIR WINTRINGHAM STABLE

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 20th day of January, 1965, 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 29th day of July, 1964, the States of Deliberation at a meeting held on the 28th day of October, 1964, approved a Bill or “Projet de Loi” entitled “The Emergency Powers (Bailiwick of Guernsey) Law, 1965”, 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 18th day of November, 1964, 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 22nd day of December, 1964, 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 Emergency Powers (Bailiwick of Guernsey) Law, 1965" 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.

W. G. Agnew.

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

PROJET DE LOI

ENTITLED

**The Emergency Powers
(Bailiwick of Guernsey) Law, 1965**

THE STATES, in pursuance of their Resolution of the twenty-ninth day of July, nineteen hundred and sixty-four, 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. (1) If at any time it appears to the States of Guernsey Emergency Council (hereafter in this Law referred to as "the Emergency Council") that there have occurred, or are about to occur, events of such a nature as to be calculated, by interfering with the supply and distribution of food, water, fuel or light, or with the means of transport, to deprive the community within the Bailiwick of Guernsey or any substantial portion of that community, of the essentials of life, the Emergency Council may, by order, declare that a state of emergency exists.

Power of
Emergency
Council to
declare a
state of
emergency.

(2) In any case where an order has been made under this section, the order shall be laid before a meeting of the States of Guernsey as soon as may be after the making thereof, and if at that meeting the States of Guernsey resolve that the order be annulled, the order and any regulations made by virtue thereof under the next succeeding section shall cease to have effect but without prejudice to anything done thereunder or to the making of a new order by the Emergency Council.

Power of
Emergency
Council
to make
regulations.

2. (1) Where a state of emergency has been declared as aforesaid, and so long as the order by which it has been declared remains in force, the Emergency Council may make regulations for securing the essentials of life to the community, and those regulations may confer or impose on any person designated therein by the Emergency Council such powers and duties as the Emergency Council may deem necessary for the preservation of peace, for securing and regulating the supply and distribution of food, water, fuel, light, and other necessities, for maintaining the means of transit or transport, and for any other purposes essential to the public safety and the life of the community, and may make such provisions incidental to the powers aforesaid as may appear to the Emergency Council to be required for making the exercise of those powers effective:

Provided that such regulations shall not impose any form of industrial conscription or make it an offence for any person to take part in a strike or peacefully to persuade any other person or persons to take part in a strike.

(2) Any regulations under this section shall be laid before a meeting of the States of Guernsey as soon as may be after the making thereof, and if, at that meeting or at the next subsequent meeting, the States of Guernsey resolve that the regulations be annulled, the regulations shall cease to have effect but without prejudice to anything done thereunder or to the making of new regulations by the Emergency Council.

(3) Any person who contravenes or attempts to contravene or fails to comply with any regulations under this section shall, except where the regulations otherwise provide, be guilty of an offence and any person so guilty of an offence shall be liable, on sum-

mary conviction, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment, together with the forfeiture of any goods or money in respect of which the offence has been committed.

(4) Any regulations under this section may be added to, altered, or revoked at any time by the States of Guernsey or by regulations made in like manner and subject to the like provisions as the original regulations.

(5) The expiry or revocation of any regulations under this section shall not be deemed to have affected the previous operation thereof, or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention or failure to comply therewith, or any proceeding or remedy in respect of any such punishment or penalty.

3. (1) In this Law the expression "States of Guernsey Emergency Council" means the States of Guernsey Emergency Council as constituted from time to time by Resolution of the States of Guernsey. Interpretation.

(2) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Law throughout the Bailiwick of Guernsey.

4. This Law may be cited as the Emergency Citation Powers (Bailiwick of Guernsey) Law, 1965.

R. H. VIDELO,

Her Majesty's Greffier.