

ORDER IN COUNCIL

ENTITLED

The Mental Treatment (Guernsey) (Amendment) Law, 1951.

III
1951

(Registered on the Records of the Island of Guernsey
on the 17th day of February, 1951.)



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1951.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 17th day of February, 1951, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff ; present:—
Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Arthur Falla, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freake Clark, Walter John Gavey, Ernest Francis Lainé, Esquires, Donald Carey Brock, Esquire, C.B.E., and Osmond Priaulx, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 29th day of January, 1951, ratifying a *Projet de Loi* entitled "The Mental Treatment (Guernsey) (Amendment) Law, 1951",—the Court, after the reading of the said Order in Council and after having heard His 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 His Majesty's Greffier to the Seneschal for Sark for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 29th day of January, 1951.

PRESENT,

The King's Most Excellent Majesty.

LORD PRESIDENT.

EARL OF DROGHEDA.

LORD MACDONALD OF GWAENYSGOR.

MR. TOM WILLIAMS.

MR. BEVAN.

MR. WHEATLEY.

SIR CHARLTON HODSON.

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 19th day of January, 1951, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, 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 11th day of October, 1950, the States of Deliberation at a meeting held on the 13th day of December, 1950, approved a Bill or “Projet de Loi” entitled “The Mental Treatment (Guernsey) (Amendment) Law, 1951” 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 Mental Treatment (Guernsey) (Amendment) Law, 1951" and to order that the same shall have force of Law in the Islands of Guernsey, Sark, Herm and Jethou.'

"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."

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of His 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 Islands of Guernsey, Sark, Herm and Jethou.

AND HIS 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 His 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.

E. C. E. Leadbitter.

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

PROJET DE LOI

ENTITLED

The Mental Treatment (Guernsey) (Amendment) Law, 1951.

THE STATES, in pursuance of their Resolution of the 11th day of October, 1950, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Sark, Herm and Jethou.

1. Article 6 of the Mental Treatment Law (Guernsey), 1939, is hereby amended by the addition, at the end thereof, of the following paragraph—

“(4) Notwithstanding anything hereinbefore contained, if a police officer is satisfied that a person is of unsound mind and that it is necessary for the safety of others or the welfare of that person that he be placed under care and control, the police officer may remove the said person to a mental hospital provided by the States, and the person in charge of the said hospital shall receive and detain the said person therein, but no person shall be detained under this paragraph for more than forty-eight hours.”

2. Article 5 of the said Law is hereby repealed and Article 23 thereof is hereby amended by repealing therein the words and figure “Subject to the provisions of Article 5 (entitled “Authorisation of use of new mental hospital”) of this Law,”.

3. The Mental Treatment Law (Guernsey), 1939, and this Law may be cited together as the Mental Treatment Laws (Guernsey), 1939 and 1951.

R. A. MALLETT,

H.M. Deputy Greffier.