

ORDER IN COUNCIL

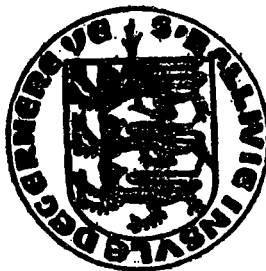
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1978

ratifying a Projet de Loi

ENTITLED

The Court Proceedings (Mechanical Recording) (Guernsey) Law, 1978

(Registered on the Records of the Island of Guernsey
on the 22nd August, 1978.)



1978.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of August, 1978, before Charles Keith Frossard, Esquire, Deputy Bailiff; present:—Claude Fortescue Nason, Esquire, Stanley Walter Gavey, Esquire, O.B.E., D'Arcy George Le Tissier, Esquire, Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Richard Alan Kinnersly, Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires and Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 31st day of May, 1978, ratifying a *Projet de Loi* entitled “The Court Proceedings (Mechanical Recording) (Guernsey) Law, 1978”, 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, of which Order in Council the tenor followeth;—

At the Court at Buckingham Palace

The 31st day of May 1978

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 5th day of May 1978 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 15th day of December 1977, the States of Deliberation at a meeting held on the 25th day of January 1978, approved a Bill or “Projet de Loi” entitled “The Court Proceedings (Mechanical Recordings) (Guernsey) Law, 1978”, 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 Court Proceedings (Mechanical Recording) (Guernsey) Law, 1978”, 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.

N. E. Leigh

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

PROJET DE LOI

ENTITLED

The Court Proceedings (Mechanical Recording) (Guernsey) Law, 1978

THE STATES, in pursuance of their Resolution of the fifteenth day of December, nineteen hundred and seventy-seven, 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.

1. In any provision of any enactment, statutory instrument, Order of the Court of Appeal of Guernsey or Order of the Royal Court whether passed or made before, or after the date of the coming into force of this Law, any reference to a shorthand note or shorthand report of any proceedings of the Court shall be construed as including a reference to a record of the proceedings made by mechanical means or otherwise and, in relation to such a record any reference to the shorthand writer, the Court Shorthand Reporter or "le Sténographe de la Cour" shall be construed as a reference to the person responsible for transcribing the record.

Mechanical
Recording
of Court
Proceedings.

2. (1) In this Law the expression "the Court" means—

Interpre-
tation.

- (a) the Court of Appeal of Guernsey constituted under and by virtue of the Court of Appeal (Guernsey) Law, 1961(a);

(a) Ordres en Conseil Vol. XVIII, p. 315.

- (b) the Royal Court sitting as a Full Court or as an Ordinary Court;
- (c) the Court for Matrimonial Causes constituted under and by virtue of the Matrimonial Causes Law (Guernsey) 1939(b);
- (d) the Magistrate's Court constituted under and by virtue of the Magistrate's Court (Guernsey) Law, 1954(c).

(2) Any reference in this Law to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Law.

Citation.

3. This Law may be cited as the Court Proceedings (Mechanical Recording) (Guernsey) Law, 1978.

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

(b) Ordres en Conseil Vol. XI, p. 318.
(c) Ordres en Conseil Vol. XVI, p. 103.