

ORDER IN COUNCIL

X
1984

ratifying a Projet de Loi

ENTITLED

The Maintenance and Affiliation Orders (Amendment) (Guernsey) Law, 1984

(Registered on the Records of the Island of Guernsey
on the 3rd day of April, 1984.)



1984.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 3rd day of April, 1984 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:—
Albert Richard McCartney Straw, Esquire,
Lionel Walter Sarre, Esquire, M.B.E., K.P.M.,
Sydney Haydn Heard, Esquire, M.B.E., Brian
Ernest Herbert Joy, Esquire, Charles Henry
Hodder, Esquire, O.B.E., Harry Wilson Bisson,
Herbert Nicolle Machon, James de Sausmarez
Carey, Geoffrey Ernest Le Page and Stanley
Walter John Jehan, Esquires, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of March, 1984, ratifying a *Projet de Loi* of the States of Guernsey entitled “The Maintenance and Affiliation Orders (Amendment) (Guernsey) Law, 1984”, 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 14th day of March 1984

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 7th day of March 1984 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 28th day of September 1983, the States of Deliberation at a meeting held on the 7th day of December 1983 approved a Bill or ‘Projet de Loi’ entitled ‘The Maintenance and Affiliation Orders (Amendment) (Guernsey) Law, 1984’ 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 Maintenance and Affiliation

Orders (Amendment) (Guernsey) Law, 1984', and to order that the same shall have force of law in the Islands of Guernsey, 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."

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 Islands of Guernsey, Herm and Jethou.

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

ENTITLED

The Maintenance and Affiliation Orders (Amendment) (Guernsey) Law, 1984

THE STATES, in pursuance of their Resolution of the twenty-eighth day of September, nineteen hundred and eighty-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 Islands of Guernsey, Herm and Jethou.

PART I

Maintenance Orders

1. The Law entitled “Loi relative à la Séparation de Mariés en Police Correctionnelle” registered on the twenty-first day of August, nineteen hundred and thirty, as amended (hereinafter referred to as “the Separation Law”) (a), is hereby further amended as follows:—

Amend-
ments to the
Law of 1930.

- (a) in paragraph (c) (which relates to payments by the husband to the wife) of Article 1 thereof the words “not exceeding seven pounds ten shillings, or such other sum as the States may from time to time by Ordinance prescribe,” are repealed;

(a) Ordres en Conseil Vol. VIII, p. 452; Vol. XI, p. 318; Vol. XVI, p. 173; Vol. XIX, p. 21; Vol. XXIII, p. 489; No. IV of 1983; Recueil d'Ordonnances Tome XX, p. 145.

(b) in paragraph (c) of Article 3 thereof the words "not exceeding seven pounds ten shillings, or such other sum as the States may from time to time by Ordinance prescribe," are repealed.

Amend -
ment to the
Law of 1955.

2. In subsection (1) of section two of the Maintenance and Affiliation Orders (Amendment) Law, 1955, as amended, (hereinafter referred to as "the Law of 1955") (b), the words "a weekly sum not exceeding fifty shillings, or such other sum as the States may from time to time by Ordinance prescribe," are hereby repealed and the words "such weekly sum as the Court shall, having regard to the means of both the husband and wife, consider reasonable" are hereby substituted therefor.

PART II

Affiliation Orders

Amend.
ments to the
Law of 1927.

3. The Law entitled "Loi relative à l'Entretien des Enfants Illégitimes, 1927" registered on the fourth day of June, nineteen hundred and twenty-seven, as amended (hereinafter referred to as "the Illegitimacy Law") (c), is hereby further amended as follows:—

(a) in Article 2 thereof the words "a sum of money weekly, not exceeding fifty shillings, or such other sum as the States may from time to time by Ordinance prescribe, a week" are repealed and the words "such weekly sum as shall appear to the Magistrate to be proper" are substituted therefor;

(b) Ordres en Conseil Vol. XVI, p. 173; Vol. XIX, p. 21; Recueil d'Ordonnances Tome XX, p. 145.

(c) Ordres en Conseil Vol. VIII, p. 130; Vol. XVI, p. 173; Vol. XIX, p. 21; Recueil d'Ordonnances Tome XX, p. 145.

- (b) in the proviso to section (2) of Article 5 thereof the words "and that the sums payable thereunder shall be weekly sums not exceeding fifty shillings, or such other sum as the States may from time to time by Ordinance prescribe, a week" are repealed.

PART III

Miscellaneous Provisions

4. The Maintenance and Affiliation Orders ^{Repeal.}
(Amendment) Law, 1962(d), is hereby repealed.

5. This Law may be cited as the Maintenance ^{Citation.}
and Affiliation Orders (Amendment) (Guernsey)
Law, 1984.

6. (1) Part I of this Law, the Separation Law, Part ^{Construc-}
I of the Law of 1955 and Part II of the Domestic ^{tion and}
Violence and Separation Proceedings (Guernsey) ^{collective}
Law, 1983(e), shall be construed as one and may be ^{title.}
cited together as the Separation Laws, 1930 to 1984.

(2) Part II of this Law, the Illegitimacy Law
and Part II of the Law of 1955, shall be construed
as one and may be cited together as the Illegitimacy
Laws, 1927 to 1984.

K. H. TOUGH,

Her Majesty's Greffier.

(d) Ordres en Conseil Vol. XIX, p. 21.

(e) No. IV of 1983.