

ORDER IN COUNCIL

XIV
1990

ratifying a Projet de Loi

ENTITLED

The Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 10th July, 1990.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 10th day of July, 1990 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, 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 and Lawrence Oscar Ozanne, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 1st day of May, 1990, approving and ratifying a *Projet de Loi* of the States of Guernsey entitled “The Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990”, THE COURT, after having heard Her Majesty’s Comptroller thereon, ordered:—

1. That the said Order in Council be registered on the records of this Island; and
2. 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 1st day of May 1990

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 24th day of April 1990 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 April, 1987, the States of Deliberation at a meeting held on the 27th day of September, 1989, approved a Bill or “Projet de Loi” entitled “The Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990”, 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 1st day of November, 1989, 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 17th day of January, 1990, 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 as 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 Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990", 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, and 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.

G. I. de Deney

PROJET DE LOI

ENTITLED

The Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990

THE STATES, in pursuance of their Resolutions of the 29th day of April, 1987, 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. The Telecommunications (Guernsey) Law, 1972, as amended, (hereinafter referred to as "the Law of 1972")^{Amendments to Law of 1972.}(a), is hereby further amended as follows:—

(a) section 2 thereof is repealed and the following section is substituted therefor—

“ 2. The constitution of the Board shall be such as shall, from time to time, be prescribed by the States by Resolution.”;

(b) section 3 thereof is repealed.

2. On the date of the reconstitution of the Board first occurring as shall be prescribed by the States by Resolution in accordance with the provisions of section 2 of the Law of 1972, as amended by section 1 of this Law, the President and every other member of the former Board in office on that date shall be deemed to have resigned. ^{Savings.}

(a) Ordres en Conseil Vol. XXIII, p. 395; No. I of 1983.

Provided that such President and every such other member shall be deemed lawfully to continue in office during the period between the date of registration of this Law on the records of the Island of Guernsey and the date of the reconstitution of the Board as aforesaid and the acts of the former Board during such aforesaid period shall be valid and binding for all purposes and on all persons accordingly and anything in process of being done under or by virtue of the Law of 1972 by or in relation to the former Board, at such aforesaid date, whether by way of legal proceedings or otherwise, may be continued by, or in relation to the reconstituted Board and in this section, the expression "former Board" means the Board constituted under the Law of 1972, the expression "reconstituted Board" means the Board constituted under the Law of 1972 as amended by this Law and the expression "Board" shall be construed accordingly.

Interpretation.

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

Construction.

4. This Law shall be construed as one with the Law of 1972.

Citation.

5. This Law may be cited as the Telecommunications (Amendment) (Bailiwick of Guernsey) Law, 1990.

Collective title.

6. This Law and the Telecommunications (Guernsey) Law, 1972, may be cited together as the Telecommunications (Bailiwick of Guernsey) Laws, 1972 and 1990.

K. H. TOUGH,
Her Majesy's Greffier.