

ORDER IN COUNCIL

III
1990

ratifying a Projet de Loi

ENTITLED

The Post Office (Amendment) (Bailiwick of Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 20th March, 1990.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 20th day of March, 1990 before Sir Charles Frossard, Kt., 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, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of February, 1990 approving and ratifying a *Projet de Loi* entitled "The Post Office (Amendment) (Bailiwick of Guernsey) Law, 1990", THE COURT, after the reading of the said Order in Council and 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 of Saint James

The 14th day of February 1990

PRESENT,

The Counsellors of State in Council

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 18th day of January 1990, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND 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 29th day of January 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 23rd day of February 1989, the States of Deliberation at a meeting held on the 27th day of July 1989 approved a Bill or “Projet de Loi” entitled “The Post Office (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 6th day of September 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 4th day of October 1989 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 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 Post Office (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."

NOW, THEREFORE, Her Majesty Queen Elizabeth, The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, have taken the said Report into consideration and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf, approve of and ratify the said Projet de Loi, and order, and it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND do 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 Post Office (Amendment) (Bailiwick of Guernsey) Law, 1990

THE STATES, in pursuance of their Resolution of the 23rd day of February, 1989, 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. Section 19 of the Post Office (Guernsey) Law, 1969^(a), as amended^(b) is deleted and the following section substituted: Amendment to Law of 1969.

“Dangerous, indecent or menacing, etc., postal packets.

19. (1) A person shall not send, attempt to send or cause or procure to be sent a postal packet which—

(a) unless permitted by the States Post Office, encloses any dangerous or noxious—

(i) article; or

(ii) living creature;

(b) encloses any indecent, menacing or threatening—

(i) items; or

(ii) written communication;

or

(c) has on the packet or on the cover thereof any words, marks or designs which are menacing, threatening, grossly offensive, or of an indecent nature.

(a) Ordres en Conseil Vol. XXII, p. 128.

(b) Ordres en Conseil Vol. XXIII, p. 511.

(2) If any person acts in contravention of subsection (1) of this section he shall be liable on conviction to imprisonment for a period not exceeding three months or a fine not exceeding level 4 on the uniform scale or both.

(3) A person shall not be exempted from proceedings under this section if a packet to which this section applies is detained by or under the authority of the States Post Office and not delivered in due course by post."

Increase of
various
penalties in
Law of
1969.

2. The penalties listed in the second column of the Schedule to this Law in respect of the sections of the Post Office (Guernsey) Law, 1969 shown in the first column are deleted and those listed in the third column substituted.

Citation.

3. (1) This Law may be cited as the Post Office (Amendment) (Bailiwick of Guernsey) Law, 1990.

SCHEDULE

Section 2

<i>Section of Law of 1969</i>	<i>Present Penalty</i>	<i>New Penalty (on the Uniform Scale)</i>
36	Level 1	Level 2
37	Level 1	Level 2
40	Level 1	Level 2
48	Level 1	Level 3
49	Level 3	Level 4
51	Level 1	Level 3
52	Level 1	Level 3
53	Level 1 (+ £1 per day)	Level 3 (+ £10 per day)
54	Level 1	Level 3

K. H. TOUGH,

Her Majesty's Greffier.