

# ORDRE EN CONSEIL

I  
1948

RATIFIANT UN PROJET DE LOI INTITULÉ

**“Loi relative au Rachet de Rentes  
(1947)”.**

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(Enregistré sur les Records de l'Île de Guernesey le  
14 février 1948.)



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1948.

## ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 14th February, 1948, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff ; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Knight, James Frederick Carey, Esquire, Sir Abraham James Lainé, K.C.I.E., Arthur Falla, Pierre de Putron, Quartier Le Pelley, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freake Clark and Walter John Gavey, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated January 26th, 1948, ratifying a *Projet de Loi* entitled "*Loi relative au Rachat de Rentes (1947)*"—The Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur, 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 26th day of January, 1948.

**Present,**

**The King's Most Excellent Majesty**

VISCOUNT HALL.

MR. SECRETARY CREECH JONES.

MR. SECRETARY WOODBURN. MR. MCNEIL.

SIR MALCOLM MACNAUGHTEN. MR. BUCHANAN.

MR. KIRKWOOD.

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 December, 1947, 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 on the 22nd day of October, 1947, the States of Deliberation considered a Bill or “Projet de Loi” entitled “Loi relative au Rachat de Rentes (1947),” when a resolution was passed approving the same and authorising 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 would be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “Loi relative au Rachat de Rentes (1947),” and to order and direct 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.”

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 Island of Guernsey.

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 or 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

## INTITULÉ

### **“ Loi relative au Rachat de Rentes (1947) ”.**

LES ETATS, vu leur délibération en date du 2 juillet 1947, ont approuvé les dispositions suivantes, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de loi en cette Ile.

1. Est et demeure rappelé l'Article I de la Loi relative au Rachat de Rentes, enregistrée sur les Records de cette Ile le 23 mars 1929, (ci-après désignée “ la Loi principale ”), et y sera substitué l'Article suivant, lequel sera censé former partie de la Loi principale.

#### “ ARTICLE I.

- (a) Toute rente payable soit en froment, soit en argent ou autre forme de redevance qui aura été créée avant le 31 mars 1948 sera lorsqu'un prix inférieur de rachat n'a pas été fixé par contrat, imprescriptiblement rachetable à un prix qui équivaldra la somme totale de vingt-quatre fois le montant annuel actuellement payable par rapport à la dite rente, avec la proportion de l'année échue lors de l'acquêt.
- (b) Toute rente payable soit en froment, soit en argent ou autre forme de redevance créée après le 31 mars 1948 sera rachetable suivant aux termes et conditions accordés entre les parties et fixés par contrat lors de la création de telle rente, et faute d'un tel accord, telle rente sera imprescriptiblement rachetable à un prix qui équivaldra la somme totale de vingt-quatre fois le montant annuel actuellement payable par rapport à la dite rente, avec

la proportion de l'année échue lors de l'acquêt."

2. Dans l'Article IV de la Loi principale les mots " imposé par l'alinéa (a) de l'Article premier " seront substitués aux mots " imposé par l'Article premier ".

PETER. J. MAUGER,

H.M. Greffier.

[TRANSLATION]

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## PROJET DE LOI

ENTITLED

"LAW RELATING TO THE REDEMPTION  
OF ' RENTES ' (1947)".

THE STATES, in view of their resolution of the 2nd day of July, 1947, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

1. Article I of the " Loi relative au Rachat de Rentes " registered on the Records of this Island on the 23rd day of March, 1929 (hereinafter called " the principal Law ) is hereby repealed and there shall be substituted therefor the following Article, which shall be deemed to form part of the principal Law.

### " ARTICLE I.

- (a) Every ' rente ' whether payable in wheat or money or otherwise howsoever which was created before the 31st day of March, 1948 shall, unless a lower redemption price was fixed therefor in the contract, be redeemable at a price equivalent to twenty-four times the actual total amount annually due in respect

thereof, plus the amount payable in respect of the current year at the time of the redemption.

- (b) Every 'rente' whether payable in wheat or money or otherwise howsoever created after the 31st day of March, 1948 shall be redeemable on the terms and conditions agreed between the parties and fixed by the contract at the time of the creation of such 'rente'; and, failing such an agreement, such 'rente' shall be redeemable at a price equivalent to twenty-four times the actual total amount annually due in respect thereof, plus the amount payable in respect of the current year at the time of redemption."

2. In Article IV of the principal Law the words "imposed by paragraph (a) of Article I" shall be substituted for the words "imposed by Article I".