

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Marriage (Enabling) (Guernsey) Law, 1961**

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(Registered on the Records of the Island of Guernsey  
on the 16th day of May, 1961.)

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**1961**

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 16th day of May, 1961, before William Henry Arnold, Esquire, C.B.E., Bailiff; present :—Sir John Leale, William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., and Carl Edward Blad, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 27th day of April, 1961, ratifying a *Projet de Loi* entitled "The Marriage (Enabling) (Guernsey) Law, 1961",—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island and 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 27th day of April, 1961.

PRESENT,

## The Queen's Most Excellent Majesty.

LORD PRESIDENT

MR. SOAMES

MR. GRANT

MR. ERROLL

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 18th day of April, 1961, 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 12th day of October, 1960, the States of Deliberation at a meeting held on the 25th day of January, 1961, approved a Bill or “Projet de Loi” entitled “The Marriage (Enabling) (Guernsey) Law, 1961”, which Bill is designed to apply to the Bailiwick of Guernsey, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the Chief Pleas of the Island of Sark at a meeting held on the 20th day of February, 1961, considered

the said Bill or "Projet de Loi," when a Resolution was passed agreeing to the application of the same to Sark. 3. That the States of the Island of Alderney at a meeting held on the 28th day of February, 1961, considered the said Bill or "Projet de Loi," when a Resolution was passed agreeing to the application of the same to Alderney. 4. That the said Bill or "Projet 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 Marriage (Enabling) (Guernsey) Law, 1961" 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, as 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.

W. G. AGNEW.

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

## **PROJET DE LOI**

**ENTITLED**

### **The Marriage (Enabling) (Guernsey) Law, 1961**

THE STATES, in pursuance of their Resolution of the twelfth day of October, nineteen hundred and sixty, 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. (1) Notwithstanding anything contained in the Law entitled "Loi sur les Empêchements au Mariage à cause de Parenté et sur l'Etablissement de la Juridiction Civile dans les Causes Matrimoniales" registered on the twenty-first day of March, nineteen hundred and thirty-six, no marriage hereafter contracted (whether in or out of the Bailiwick) between a man and a woman who is the sister, aunt or niece of a former wife of his (whether living or not), or was formerly the wife of his brother, uncle or nephew (whether living or not), shall by reason of that relationship be void or voidable under any enactment or rule of law applying in the Bailiwick as a marriage between persons within the prohibited degrees of affinity.

Certain  
marriages  
not to be  
void.

(2) This section does not validate a marriage if either party to it is at the time of the marriage domiciled in a country outside the Bailiwick and under the law of that country there cannot be a valid marriage between the parties.

(3) In this section words of kinship apply equally to kin of the whole and of the half blood and the expression "the Bailiwick" means the Bailiwick of Guernsey.

Citation.        2. This Law may be cited as the Marriage (Enabling) (Guernsey) Law, 1961.

R. H. VIDELO,

Her Majesty's Greffier.