

ORDER IN COUNCIL

XII
2007

ratifying a Projet de Loi

ENTITLED

The Mansell Trust (Guernsey) Law, 2007

(Registered on the Records of the Island of Guernsey
on the 1st October, 2007.)



2007

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

1st day of October, 2007 before Richard John Collas, Esquire, Deputy Bailiff; present:- David Charles Lowe, OBE, Derek Martin Le Page, Stephen Edward Francis Le Poidevin, Keith Bichard, OBE, Esquires, The Reverend Peter Gerald Lane, Michael Henry De La Mare, Esquires, Susan Mowbray, David Osmond Le Conte, and David Ferguson, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 25th July 2007 approving and ratifying a Projet de Loi entitled the Mansell Trust (Guernsey) Law, 2007, 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.



At the Court at Buckingham Palace

THE 25th DAY OF JULY 2007

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

"In accordance with Your Majesty's General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

"That, in pursuance of their Resolution of 25th October 2006, the States of Deliberation at a meeting on 28th March 2007 approved a *Projet de Loi* entitled the Mansell Trust (Guernsey) Law 2007 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Mansell Trust (Guernsey) Law 2007, and to order that it shall have force of law in the Island of Guernsey.

"The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it".

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Island of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty's Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

Judith Simpson

PROJET DE LOI

ENTITLED

The Mansell Trust (Guernsey) Law, 2007

THE STATES, in pursuance of their Resolution of the 25th October, 2006^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Dissolution of the Mansell Trust and use of trust property.

1. On the date of the commencement of this Law -
 - (a) the Mansell Trust shall be dissolved,
 - (b) any trust property accruing to the present trustees, less any expenses and outgoings properly incurred, shall be paid to the Friends of St Julian's in such manner as the present trustees think fit,
 - (c) upon payment of the trust property, the present trustees shall be discharged and absolved from all obligations and liabilities in respect of the Mansell Trust and in respect of the trust property (other than any obligation or liability subsisting at the date of the commencement of this Law), and

^a Article XIV of Billet d'État No. XVII of 2006.

- (d) upon receipt of the trust property, the Friends of St Julian's shall apply the same in accordance with their constitution and to their charitable objects and purposes.

Interpretation .

2. (1) In this Law -

"the Friends of St Julian's" means member number 045 of the Association of Guernsey Charities, (formerly known as "Friends of St Julian's Hostel or Friends of St Julian's House") and recognised as exempt from income tax by the Administrator of Income Tax, Guernsey, under the provisions of section 40(k) of the Income Tax (Guernsey) Law 1975,

"the Mansell Trust" means the trust created by deed of trust dated 30th April, 1929 pursuant to the will dated 15th May, 1925 and codicil thereto dated 15th July, 1927 of Emma Carolina Mansell and following agreement between the States and the sole surviving executor of that will, Herbert Arthur Gliddon, the purpose of the trust being for the "special benefit of the inmates for the time being of the Hospital of the town and the parish of St Peter Port and the Country Hospital, the Town and Country Asylums, or such general Asylum as may in the future be erected in substitution for the present Town and Country asylums, and the Childrens Home in such a manner and in such proportions in accordance with the premises as the Trustees shall from time to time in their discretion think fit.",

"the present trustees" means the present trustees of the Mansell Trust, that is to say, the persons holding the office of Minister of the States Public Services Department and Minister of the States Health and Social Services Department, respectively, and

"the States" means the States of Guernsey,

"the trust property" means all the property (whether capital or income) subject to the trusts of the Mansell Trust.

(2) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

3. This Law may be cited as the Mansell Trust (Guernsey) Law, 2007.

Commencement.

4. This Law shall come into force on the 28th day after the day of its registration on the records of the Island of Guernsey.