

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998**

---

(Registered on the Records of the Island of Guernsey  
on the 11th February, 1998.)

---



1998

**I  
1998**

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 3rd day of March, 1998 before Sir Graham Dorey, Bailiff; present:-  
Leonard Arthur Moss, Charles Anthony Spensley, Lawrence Oscar  
Ozanne, John Richard Rowe Henry, David Charles Lowe, Esquires,  
Mrs. Eileen May Glass, Laurence Lenfestey Guille, Derek Martin  
Le Page, Stephen Edward Francis Le Poidevin and David Michael  
Jory, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 11th day of February, 1998 approving and ratifying a *Projet de Loi* entitled "The Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998", 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 S n schal 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 11th day of February 1998

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 22nd day of January 1998 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 18th day of April 1997, the States of Deliberation at a meeting held on the 1st day of August 1997 approved a Bill or “Projet de Loi” entitled “The Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998”, 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 October 1997 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 1st day of October 1997 considered the 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 Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998”, 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.

*N. H. Nicholls*



## **The Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998**

**THE STATES**, in pursuance of their Resolution of 18th April, 1997<sup>a</sup> 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.

### **Meaning of still-born child and related expressions**

1. (1) Any reference in an enactment to a child who is born dead or still-born is to be construed as referring to a child who has issued forth from its mother after the 24th week of pregnancy, and who did not at any time after being completely expelled from its mother breathe or show any other signs of life.

(2) In this section "enactment" means any Law, and any Ordinance of the States of Guernsey, the States of Alderney or the Chief Pleas of Sark, having effect in any one or more of the Islands of the Bailiwick, and whether enacted before or after the commencement of this Law.

### **Consequential amendments**

2. (1) In Article 4 of the Ordinance entitled "Ordonnance relative à la Notification de la Naissance des Enfants" made permanent on 18th January, 1932<sup>b</sup> for "vingt-huitième" there is substituted "vingt-quatrième".

(2) In section 29(1)(a) of the Social Insurance (Guernsey) Law, 1978<sup>c</sup> for "twenty-eight" there is substituted "twenty-four".

---

<sup>a</sup> in Article 7 of Billet d'État No. VI of 1997.

<sup>b</sup> Recueil d'Ordonnances Tome VI, p.46.

<sup>c</sup> Ordres en Conseil Vol. XXVI, p.292; Vol. XXVII, pp.238, 307 and 392; Vol. XXIX, pp.24, 148 and 422; No. V of 1990; No. XII of 1993; No. VI of 1995.