

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Husband and Wife (Joint Accounts) (Sark) Law, 1975

(Registered on the Records of the Island of Guernsey
on the 3rd day of June, 1975.)



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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 3rd day of June, 1975, before John Henry Loveridge, Esquire, C.B.E., Bailiff; present:— Claude Fortescue Nason, Stanley Walter Gavey, D'Arcy George Le Tissier, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Esquire, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Oliver Symons, Albert Richard McCartney Straw, Esquires, Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C. and Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 16th day of April, 1975, ratifying a *Projet de Loi* of the Chief Pleas of the Island of Sark entitled "The Husband and Wife (Joint Accounts) (Sark) Law, 1975", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur 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 Seneschal of Sark for registration on the records of that Island, of which Order in Council the tenor followeth:—

At the Court at Windsor Castle

The 16th day of April 1975

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 11th day of March 1975, 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 Henry Parkin Bell, Esquire, Deputy Seigneur de Sercq, Maxwell Hyslop Maxwell, Esquire, M.B.E., T.D., Deputy Seneschal, and John Peter Guille, Esquire, Prévôt of the Island of Sark, setting forth:—

‘1. That in pursuance of their Resolution of the 3rd October 1973, the Chief Pleas of the Island of Sark, at a Meeting held on the 1st November 1974, approved a Bill or “Projet de Loi” entitled “The Husband and Wife (Joint Accounts) (Sark) Law, 1975”. 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the Chief Pleas of Sark entitled “The Husband and Wife (Joint Accounts) (Sark) Law, 1975” and to order that the same shall have force of law in the Island of Sark.’

“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 the Law within the Island of Sark.

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 Bailiwick of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Bailiwick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

N. E. Leigh

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

PROJET DE LOI

ENTITLED

The Husband and Wife (Joint Accounts) (Sark) Law, 1975

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the third day of October, nineteen hundred and seventy-three, 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 Sark.

1.—(1) For the avoidance of doubt it is hereby declared that any deposit in any post office or other bank, any annuity, sum, share, stock, debenture, debenture stock or other interest standing in the joint names of a husband and wife at the time of death of either of them shall, unless and until the contrary is proved, be deemed to be the absolute property of the survivor of them.

Monies in securities standing in joint names of spouses on death of either.

(2) Nothing in subsection (1) of this section shall be construed so as to derogate from any provision contained in or made under any other enactment.

2.—(1) This Law may be cited as the Husband and Wife (Joint Accounts) (Sark) Law, 1975.

Citation, interpretation and commencement.

(2) The Interpretation (Guernsey) Law, 1948(a), shall apply to the interpretation of this Law as it applies to the interpretation of a Guernsey enactment.

(a) Ordres en Conseil Vol. XIII, p. 355.

(3) This Law shall come into force on the seventh day next following the date of the registration of this Law on the Records of the Island of Guernsey.

R. H. VIDELO,
Her Majesty's Greffier.