

ORDER IN COUNCIL

**VII
1990**

ratifying a Projet de Loi

ENTITLED

The Matrimonial Causes (Amendment) (Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 23rd April, 1990.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF ISLAND OF GUERNSEY

The 23rd day of April, 1990 before Sir Charles Frossard, Kt., Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, John Edward Morris, Charles Anthony Spensley, Kenneth John Rowe and Lawrence Oscar Ozanne, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of March, 1990, approving and ratifying a *Projet de Loi* entitled “The Matrimonial Causes (Amendment) (Guernsey) Law, 1990”, 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 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 14th day of March 1990

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 6th day of March 1990, 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 27th day of April, 1989, the States of Deliberation at a meeting held on the 28th day of June, 1989, approved a Bill or “Projet de Loi” entitled “The Matrimonial Causes (Amendment) (Guernsey) Law, 1990”, 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 6th day of September, 1989, 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 4th day of October, 1989, considered the said 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 Matrimonial Causes (Amendment) (Guernsey) Law, 1990", 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 to 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.

G. I. de Deney

PROJET DE LOI

ENTITLED

The Matrimonial Causes (Amendment) (Guernsey) Law, 1990

THE STATES, in pursuance of their Resolution of the 27th day of April, 1989, 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. In the 1939 Law—

Amendment
to the 1939
Law.

(a) in Article 46(1)—

(i) after “nullity of marriage or” insert “a decree or pronouncement of”;

(ii) for “each of the parties” substitute “each or either of the parties”;

(b) in Article 55 after “nullity of marriage” insert “or a pronouncement of judicial separation”.

2. Any order or direction of the Court under Article 46(1) of the 1939 Law made before the commencement of this Law shall have effect as if made under that Article as amended by this Law.

Effect of
previous
orders.

3. In this Law—

Interpreta-
tion

“the Court” has the meaning given by Articles 2 and 4 of the 1939 Law;

“the 1939 Law” means the Matrimonial Causes Law (Guernsey), 1939(a), as amended(b).

Citation 4. This Law may be cited as the Matrimonial Causes (Amendment) (Guernsey) Law, 1990.

Collective title. 5. This Law and the Domicil and Matrimonial Causes (Bailiwick of Guernsey) Laws, 1939 to 1979 may be cited together as the Matrimonial Causes Laws, 1939 to 1990.

D. R. DOREY,
Her Majesty's Deputy Greffier.

(a) Ordres en Conseil Vol. XI, p. 318.
(b) Ordres en Conseil Vol XII, p. 278; Vol. XIII, p. 38; Vol. XV, p. 422; Vol. XVII, p. 249; Vol. XXII, p. 102; Vol. XXIII, p. 489; and Vol. XXVII, p. 99.