

ORDER IN COUNCIL

ENTITLED

The Emergency Laws (Miscellaneous Provisions) (Guernsey) Order in Council, 1952.

XI
1952

(Registered on the Records of the Island of Guernsey
on the 6th day of December, 1952.)



Printed by GUERNSEY HERALD LIMITED, Victoria Road.

1952.

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 6th day of December, 1952, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present:— Ernest de Garis, Esquire, O.B.E., Sir John Leale, Arthur Falla, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freake Clark, Walter John Gavey, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx and Stephen James Falla, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 4th day of December, 1952, entitled "The Emergency Laws (Miscellaneous Provisions) (Guernsey) Order in Council, 1952", (S.I. 1952 No. 2098),—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 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:—

STATUTORY INSTRUMENTS

1952, No. 2098

**EMERGENCY LAWS
GUERNSEY**

**The Emergency Laws (Miscellaneous
Provisions) (Guernsey) Order in Council,
1952.**

Made 4th December, 1952.
At the Court at Buckingham Palace,
the 4th day of December, 1952.

PRESENT

*The Queen's Most Excellent Majesty
in Council.*

Whereas section eighteen of the Emergency Laws (Transitional Provisions) Act, 1946(a), as amended by subsection (1) of section eight of the Emergency Laws (Miscellaneous Provisions) Act, 1947(b), enabled His late Majesty by Order in Council to empower such authority as might be specified in the Order to provide for the continuation in force until the tenth day of December, nineteen hundred and fifty, of Defence Regulations having effect in the Bailiwick of Guernsey, being a territory specified in section four of the Emergency Powers (Defence) Act, 1939(c), and for certain matters ancillary thereto:

And Whereas by Article 3 of the Emergency Laws (Continuance) Order, 1952(d), made under the said section eight on the fourth day of December, nineteen

(a) 9 & 10 Geo. 6. c.26.

(b) 11 & 12 Geo. 6. c.10

(c) 2 & 3 Geo. 6. c.62.

(d) S.I. 1952/2095.

hundred and fifty-two, it is provided that the powers exercisable under the said section eighteen shall be exercisable in relation to any Defence Regulations remaining in force by virtue of that section and Article 3 of the Emergency Laws (Continuance) Order, 1951^(e), when the said Order of 1952 was made, as if in paragraph (a) of subsection (1) of the said section eighteen as amended by subsection (1) of the said section eight for the reference to the tenth day of December, nineteen hundred and fifty, there were substituted a reference to the tenth day of December, nineteen hundred and fifty-three:

And Whereas it is expedient that further provision be made for the continuance in force for a further period of certain Defence Regulations remaining in force by virtue of the said section eighteen when the said Order of 1952 was made:

Now, therefore, Her Majesty, in pursuance of the said section eighteen as amended by subsection (1) of the said section eight and the said Order of 1952 and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Emergency Laws (Miscellaneous Provisions) (Guernsey) Order in Council, 1952.

(2) In this Order the expression “Bailiwick of Guernsey” includes the territorial waters adjacent to every part of that Bailiwick, and the expression “Royal Court” means the Royal Court of Guernsey.

(3) The Interpretation Act, 1889^(f), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and for the

(e) S.I. 1951/2117. 1951 III, p.1. (f) 52 & 53 Vict. c.63.

purposes of section thirty-eight of that Act (which relates to the effect of repeals) this Order shall be deemed an Act of Parliament.

2. The Royal Court shall be empowered to provide—

- (a) for the continuation in force until the tenth day of December, nineteen hundred and fifty-three, of any Defence Regulations having effect in the Bailiwick of Guernsey, being Defence Regulations remaining in force by virtue of the Emergency Laws (Transitional Provisions) Act, 1946, the Emergency Laws (Miscellaneous Provisions) Act, 1947, and the Emergency Laws (Miscellaneous Provisions) (Guernsey) (Order in Council, 1951(g), when the Emergency Laws (Continuance) Order, 1952, was made;
- (b) that any Defence Regulation so continued in force shall have effect, subject to such exceptions, limitations and modifications as the Royal Court thinks necessary or expedient;
- (c) for the revocation in whole or in part of any Regulation so continued and for the making of any saving provisions which the Royal Court thinks necessary or expedient to take effect on the revocation or expiry of any such Regulation;
- (d) for the application, in relation to Regulations so continued in force, of sections nineteen and twenty of the Emergency Laws (Transitional Provisions) Act, 1946, subject to such exceptions, adaptations and modifications as the Royal Court thinks necessary or expedient.

F. J. FERNAU.

JAMES E. LE PAGE,
Her Majesty's Greffier.