

ORDER IN COUNCIL

XI

ratifying a Projet de Loi

1958

ENTITLED

The President of the States Board of Administration (Validation) (Guernsey) Law, 1958.

(Registered on the Records of the Island of Guernsey
on the 30th day of August, 1958.)



1958.

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 30th day of August, 1958, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :— Sir John Leale, Arthur Falla, William Robert Freake Clark, Esquires, Bertram Bartlett, Esquire, O.B.E., Osmond Priaulx, Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Claude Fortescue Nason, and Henry Robin Bichard, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 30th day of July, 1958, ratifying a *Projet de Loi* entitled "The President of the States Board of Administration (Validation) (Guernsey) Law, 1958",—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 :—

At the Court at Buckingham Palace,

The 30th day of July, 1958.

PRESENT,

The Queen's Most Excellent Majesty.

PRIME MINISTER
LORD PRESIDENT
LORD MILLS
MR. ORMSBY-GORE
MR. BROOKE
MR. MOLSON

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 18th day of July, 1958, 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 26th day of March, 1958, the States of Deliberation at a meeting held on the 28th day of May, 1958, approved a Bill or “Projet de Loi” entitled “The President of the States Board of Administration (Validation) (Guernsey) Law, 1958,” which Bill is designed to apply to the Bailiwick of Guernsey, 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 July, 1958, 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 18th day of June, 1958, 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 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 States of Guernsey entitled "The President of the States Board of Administration (Validation) (Guernsey) Law, 1958" 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, as 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.

W. G. AGNEW.

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

PROJET DE LOI

ENTITLED

The President of the States Board of Administration (Validation) (Guernsey) Law, 1958.

WHEREAS Conseiller Richard Henry Johns, Commander of the Most Excellent Order of the British Empire, was, by a Resolution of the States of the twentieth day of January, nineteen hundred and fifty-four, elected President of the States Board of Administration for a term of office commencing on the first day of February in that year:

AND WHEREAS the said term of office terminated on the thirtieth day of April, nineteen hundred and fifty-seven, and the States did not, on or before that day, elect a person to the office of President of the said Board to fill the vacancy caused by the said termination of office:

AND WHEREAS the said Richard Henry Johns did, during the period commencing on the first day of May, nineteen hundred and fifty-seven, and ending on the twenty-fifth day of March, nineteen hundred and fifty-eight, purport to continue in office and to exercise the powers of, perform the duties of, and otherwise act as President of the said Board as if he had been properly elected to that office:

NOW THEREFORE the States, in pursuance of their Resolution of the twenty-sixth day of March, nineteen hundred and fifty-eight, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have the force of law in the Bailiwick of Guernsey.

1. (1) All duties performed, powers exercised and other acts done, other than those duties, powers and other acts ratified by the States by Resolution on the twenty-sixth day of March, nineteen hundred and fifty-eight, by Conseiller Richard Henry Johns, Commander of the Most Excellent Order of the British Empire, while purporting to act as President of the States Board of Administration (hereinafter referred to as "the Board") or by any person acting by or under the purported authority of the said Richard Henry Johns as President of the Board, during the period commencing on the first day of May, nineteen hundred and fifty-seven, and ending on the twenty-fifth day of March, nineteen hundred and fifty-eight (hereinafter referred to as "the relevant period"), are hereby made and declared to be lawful and are confirmed as on and from the date of the performance, exercise and doing of those duties, powers and acts respectively.

(2) The said Richard Henry Johns and every such person as aforesaid are hereby freed, acquitted, discharged and indemnified, as against all and every person and persons whatsoever, from all legal proceedings whatsoever in respect of any such duties, powers and acts as aforesaid if those proceedings could not have been instituted or prosecuted had the said Richard Henry Johns been properly holding the office of President of the Board during the relevant period.

2. Any duty performed, power exercised or act done during the relevant period by the Board shall

not be invalidated on account of the vacancy in the office of President of the Board and any defect in the qualification of the said Richard Henry Johns to act as President of the Board shall not invalidate any duty performed, power exercised or act done by the Board during the relevant period.

JAMES E. LE PAGE,

Her Majesty's Greffier.