

# PROJET DE LOI

ENTITLED

## **The Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Ordres en Conseil Vol. XXXIII, p. 444; as amended by the Marriage (Bailiwick of Guernsey) Law, 2020 (No. XVI of 2020).

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### ARRANGEMENT OF SECTIONS

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3. Amendment to law of 1951.
4. Amendment to Law of 1966.
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## **The Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991**

**THE STATES**, in pursuance of their Resolution of the 1<sup>st</sup> day of November, 1990<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.

### **Amendments to Law of 1935.**

1. In the Law entitled "Loi relative a l'Enregistrement des Naissances et Décès dans le Bailliage de l'Ile de Guernesey"<sup>b</sup>, as amended<sup>c</sup> –

(a) for Article 15, substitute –

### **"Période de garde de corps.**

15. Il est défendu de garder un corps –

(a) autrement que sous la garde des États, au delà de six jours après la mort sans en aviser par écrit

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<sup>a</sup> Article XVII of Billet d'État No. XXI of 1990.

<sup>b</sup> Ordres en Conseil Vol. X, p. 20.

<sup>c</sup> Ordres en Conseil Vol. XV, p. 46; Vol. XX, p. 267; Vol. XXII, p. 48; Vol. XXVI, p. 468; Vol. XXVII, p. 40; No. V of 1989.

l'Officier de Santé des États, sous peine d'une amende qui n'excédera pas le deuxième niveau de l'échelle établie par la loi intitulée "The Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989",

(b) au delà de quinze jours après la mort, sauf avec la permission par écrit dans l'Ile de Guernesey des Connétables et des Officiers du Roi, et dans l'Ile de Sercq des Connétables et du Sénéchal, sous peine d'une amende qui n'excédera pas le troisième niveau de la dite échelle.",

- (b) for each of the references to level 1 in Articles 7, 9 and 17, substitute a reference to level 2,
- (c) for the reference in Article 14 to level 3, substitute a reference to level 4.

### **Amendments to Law of 1919.**

2. ...

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#### **NOTE**

*Section 2 was repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.*

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**Amendment to law of 1951.**

3. For section 3A of the Births, Deaths and Marriages Certificates (Miscellaneous Provisions) (Guernsey) Law, 1951, as amended<sup>f</sup>, there is substituted –

**"Variation of fees.**

3A. (1) The States may by Ordinance vary the fees that shall be payable in respect of the issue of a certificate mentioned in the foregoing provisions of this Law and any such Ordinance may provide that different fees shall be payable in respect of the issue of similar certificates in different circumstances.

(2) Any Ordinance made under subsection (1) –

- (a) may contain such supplementary, incidental and transitional provisions as in the opinion of the States is necessary or expedient for the purposes of the Ordinance,
- (b) may be amended or repealed by a subsequent Ordinance."

**Amendment to Law of 1966.**

4. In the Legitimacy (Guernsey) Law, 1966<sup>g</sup> –

- (a) for the words "ten shillings" in section 4(5)(b) there is substituted "five pounds",<sup>1</sup>

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<sup>f</sup> Ordres en Conseil Vol. XV, p. 46; Vol. XXVII, p. 40.

<sup>g</sup> Ordres en Conseil Vol. XX, p. 267.

(b) immediately after section 4(5) there is inserted –

" (6) (a) The States may by Ordinance vary the fee that shall be payable in respect of a declaration made under this section.

(b) Any Ordinance made under paragraph (a) –

(i) may contain such supplementary, incidental and transitional provisions as in the opinion of the States is necessary or expedient for the purposes of the Ordinance,

(ii) may be amended or repealed by a subsequent Ordinance."

**Repeal.**

5. Paragraphs (a), (b) and (d) of section 2 of the Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979<sup>h</sup>, are repealed.

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**NOTE**

*Section 2 of the Births, Deaths and Marriages (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 1979 has since been repealed by the Marriage (Bailiwick of Guernsey) Law, 2020, section 67, Schedule, with effect from 1st March, 2021.*

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<sup>h</sup> Ordres en Conseil Vol. XXVII, p. 40.

**Interpretation.**

6. Except in so far as the context otherwise requires, any reference in this Law to any other enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

**Citation.**

7. This Law may be cited as the Births, Deaths, Marriages and Legitimacy (Bailiwick of Guernsey) (Amendment) Law, 1991.

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**NOTE**

*The Law received Royal Sanction on 16th October, 1991 and was registered on the Records of the Island of Guernsey and came into force on 3<sup>rd</sup> December, 1991.*

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<sup>1</sup> For subsequent amendments, see the consolidated text of the Legitimacy (Guernsey) Law, 1966.