

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Marriage (Guernsey) Law, 1987

(Registered on the Records of the Island of Guernsey
on the 30th day of June, 1987.)



1987

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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 30th day of June, 1987, before Graham Martyn Dorey Esquire, Deputy Bailiff; present:— Donald Pescott Plummer, Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Stanley Walter John Jehan, Esquires, Mrs. Dorothy Winifred Le Pelley, and Leonard Arthur Moss, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 18th day of May, 1987 approving and ratifying a *Projet de Loi* of the States of Guernsey entitled "The Marriage (Guernsey) Law, 1987 THE COURT, after the reading of the said Order in Council and after having heard Her Majesty's Procureur 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 18th day of May 1987

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 30th day of March 1987 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 29th day of October 1986, the States of Deliberation at a meeting held on the 11th day of December 1986 approved a Bill or “Projet de Loi” entitled “The Marriage (Guernsey) Law, 1987”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the Chief Pleas of the Island of Sark at a meeting held on the 21st day of January 1987 considered the said Bill or “Projet de Loi” when a Resolution was passed agreeing to the application of the same to Sark. 3. 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 Marriage (Guernsey) Law 1987", and to order that the same shall have force of law in the Bailiwick of Guernsey and 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, and it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey and 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 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 Marriage (Guernsey) Law, 1987

THE STATES, in pursuance of their Resolution of the 29th day of October, 1986, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey and Sark.

1. (1) A party to an intended marriage may give notice of the marriage to the Registrar-General or his Deputy—

Residential
qualifica-
tions for
marriage in
Guernsey
and Sark.

- (a) under and in accordance with Article 14 of the Law of 1919, notwithstanding that he has not, immediately before giving such notice, resided at least 7 days in the Island of Guernsey or of Sark, or in the dependencies of the said Islands; or
- (b) under and in accordance with Article 18 of the Law of 1919, notwithstanding that he is unable to make a declaration of the facts stated in paragraph (a) of that Article,

if he has at any time been ordinarily resident in any of the places mentioned in paragraph (a) of this subsection for a continuous period of not less than 10 years.

(2) A person giving notice of an intended marriage by virtue of subsection (1)(a) or (1)(b) of this section shall, on giving such notice, make a declara-

tion in the form set out in the schedule to this Law of the dates between which he was ordinarily resident as mentioned in subsection (1), and shall sign the declaration in the presence of the Registrar-General or his Deputy, who shall also sign it.

(3) A person giving notice of an intended marriage by virtue of subsection (1)(b) of this section and making a declaration under subsection (2) of this section shall not be required to make a declaration under Article 18(a) of the Law of 1919.

Penalties for false declarations.

2. Any person who without reasonable excuse makes a declaration under section 1(2) of this Law which is false in any respect shall be guilty of an offence and shall be liable to be proceeded against and punished in the same manner as if he were guilty of an offence under Article 36 of the Law of 1919.

Interpretation.

3. In this Law—

“the Law of 1919” means the Law entitled “Loi ayant rapport aux Mariages célébrés dans les Iles de Guernesey, d’Auregny et de Serk, 1919” registered on the 6th day of May, 1919(a), as amended(b); and

“the Registrar-General” means the Registrar-General of Marriages in the Bailiwick.

Amendments.

4.(1) In Article 14 of the Law of 1919, after “laquelle doit”, insert “, sous la reserve des provisions de section 1(1)(a) de la Loi intitulée “The Marriage (Guernsey) Law, 1987”,”.

(a) Ordres en Conseil Vol. VI, p. 57.

(b) Ordres en Conseil Vol. XV, pp. 196 and 200; Tome XI, p. 195; Ordres en Conseil Vol. XX, p. 267.

(2) In Article 18 of the Law of 1919, after “aux fins de l’Article 14 et”, insert “, sous la reserve des provisions de section 1(3) de la Loi intitulée “The Marriage (Guernsey) Law, 1987”,”.

5. This Law may be cited as the Marriage (Guern- Citation.
sey) Law, 1987.

6. This Law and the Marriage Laws, 1919 to 1951, Collective
may be cited together as the Marriage Laws, 1919 title.
to 1987.

"Declaration of Residence"

I,, of
,

hereby declare that I was ordinarily resident in the
 Island of Guernsey or of Sark, or in the dependen-
 cies of the said Islands, for a continuous period of
 not less than 10 years between
 and

Signed
 (Signature of declarant)

on
 (Date)

in the presence of
 (Signature of Registrar-General or his Deputy)

Note Any person who without reasonable excuse
 makes a declaration which is false in any
 respect is liable to prosecution."

A. G. LE CHEMINANT,

Her Majesty's Deputy Greffier.