

ORDER IN COUNCIL

V
2017

ratifying a Projet de Loi

ENTITLED

The Succession to the Crown (Bailiwick of Guernsey) Law, 2016

(Registered on the Records of the Island of Guernsey
on the 22nd May, 2017.)



2017

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of May, 2017 before Richard James McMahon, Esquire, Deputy Bailiff; present:- Susan Mowbray, Barbara Jean Bartie, John Ferguson, Stephen Murray Jones, Terry George Snell, Esquires, David Percy Langley Hodgetts, Esquire, L.V.O., Niall David McCathie, Terry John Ferbrache, Jonathan Grenfell Hooley, and Steven John Morris, Esquires, Jurats.

The Deputy Bailiff, having this day placed before the Court an Order of Her Majesty in Council dated 3rd May, 2017 approving and ratifying a Projet de Loi of the States of Guernsey entitled “The Succession to the Crown (Bailiwick of Guernsey) Law, 2016”, 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 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 be sent by Her Majesty’s Greffier to the Greffier of the Court of Alderney and to the Sénéchal of Sark for registration on the records of those Islands.

J. TORODE
Her Majesty’s Greffier.



At the Court at Buckingham Palace

THE 3rd DAY OF MAY 2017

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 11th December 2013, the States of Deliberation at a meeting on 2nd March 2016 approved a *Projet de Loi* entitled the Succession to the Crown (Bailiwick of Guernsey) Law, 2016 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the States of the Island of Alderney at a meeting held on 20th April 2016 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Alderney. That the Chief Pleas of the Island of Sark at a meeting held on 6th April 2016 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Sark. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Succession to the Crown (Bailiwick of Guernsey) Law, 2016, and to order that it shall have force of law in the Bailiwick of Guernsey.

“The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it”.

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Bailiwick of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

Richard Tilbrook

PROJET DE LOI

ENTITLED

The Succession to the Crown (Bailiwick of Guernsey) Law, 2016

WHEREAS representatives of the Commonwealth Realms of which Her Majesty is Sovereign agreed on the 28th October, 2011 to change the rules on succession to the throne and possession of it so as to make succession not depend on gender and to end the disqualification arising from marrying a Roman Catholic;

AND WHEREAS on the 25th April, 2013 Her Majesty assented to an Act of Parliament entitled the Succession to the Crown Act 2013 which amongst other things changes the rules on succession to the throne and possession of it so as to make succession not depend on gender and ends the disqualification arising from marrying a Roman Catholic;

NOW THEREFORE THE STATES, in pursuance of their Resolution of the 11th December, 2013^a, 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.

Succession to the Crown.

1. (1) The death of the Sovereign shall have the effect of transferring all the functions, duties, powers, authorities, rights, privileges and dignities belonging to the Crown to the Sovereign's successor as determined in

^a

Article VIII of Billet d'État No. XXIV of 2013.

accordance with the Act of Settlement 1700^b of the United Kingdom and any other law of the United Kingdom relating to succession to the Crown.

(2) Every reference to the Sovereign (however expressed) in any enactment, document or instrument in force shall, unless the context requires otherwise, be deemed to refer to the Sovereign for the time being.

(3) In this section, references to "**the Sovereign**" and to "**the Crown**" are to the Sovereign and the Crown in right of the Bailiwick.

Regency.

2. Where, under the law of the United Kingdom, the royal functions are being performed in the name and on behalf of the Sovereign by a Regent, the royal functions of the Sovereign in right of the Bailiwick shall be performed in the name and on behalf of the Sovereign in right of the Bailiwick by that Regent.

Interpretation.

3. (1) In this Law -

- (a) "**the Bailiwick**" means the Bailiwick of Guernsey, and
- (b) references to the law of the United Kingdom and to any enactment include any law or enactment passed before or after the commencement of this Law.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Law throughout the Bailiwick.

^b An Act of Parliament (12 & 13 Will. C. 2).

^c Ordres en Conseil Vol. XIII, p. 355.

Citation.

4. This Law may be cited as the Succession to the Crown (Bailiwick of Guernsey) Law, 2016.

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey

PRICE £3.00

Printed by Colour Monster Printshop, The Guernsey Press Building, Braye Road, St. Sampsons, GY2 4WX.