

VIII.
1938

ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

**Loi portant amendement à la Loi relative
à l'Instruction Primaire et aux Fonctions
du Conseil d'Education et des Comités
d'Education Paroissiaux, 1935.**

(Enregistré sur les Records de l'Île de Guernesey le
28 mai 1938.)



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1938.

ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ÎLE DE GUERNESÉY

Le vingt-huit mai mil neuf cent trente-huit, par-devant Victor Gosselin Carey, écuyer, Baillif; présents: Jean Allès Simon, John Roussel, Osmond Priaulx Gallienne, Ernest de Garis, Jean Nicolas Robin, Cyril de Putron, Aylmer Mackworth Drake, John Leale et James Frederick Carey, écuyers, Jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du six mai mil neuf cent trente-huit, ratifiant un Projet de Loi intitulé "Loi portant amendement à la Loi relative à l'Instruction Primaire et aux Fonctions du Conseil d'Education et des Comités d'Education Paroissiaux, 1935." La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile, duquel Ordre la teneur suit: —

At the Court at Buckingham Palace

The 6th day of May, 1938.

Present,

The King's Most Excellent Majesty

LORD PRESIDENT

MR SECRETARY MACDONALD

LORD GOWRIE

SIR HORACE RUMBOLD

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 Guern-

LIE 28 MAI 1938.

sey and Jersey dated the 3rd day of May, 1938, in the words following, viz.:—

"Your Majesty having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

1. That on the 12th day of February, 1938, the Royal Court adopted a Bill or "Projet de Loi" intituled "Loi portant amendement à la Loi relative à l'Instruction Primaire et aux Fonctions du Conseil d'Education et des Comités d'Education Paroissiaux, 1935," and requested the Bailiff to submit the same to the States of Deliberation for their approval. 2. That on the 30th day of March, 1938, the said Bill or "Projet de Loi" was duly considered by the States, when a resolution was passed approving the same and authorizing the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3. That the said Bill or "Projet de Loi" is in the words and figures set forth in the Schedule annexed to the Petition. 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 intituled "Loi portant amendement à la Loi relative à l'Instruction Primaire et aux fonctions du Conseil d'Education et des Comités d'Education Paroissiaux, 1935," and to order and direct that the same should have the force of Law within the Island 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*."

His Majesty, having taken the said Report into consideration is pleased, by and with the advice of His 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 Island of Guernsey.

And His 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 or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His 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.

M. P. A. Hankey.

**PROJET DE LOI referred to in the foregoing Order
in Council.**

PROJET DE LOI

INTITULÉ

**“ LOI PORTANT AMENDEMENT À LA LOI
RELATIVE À L'INSTRUCTION PRIMAIRE ET
AUX FONCTIONS DU CONSEIL D'ÉDUCATION
ET DES COMITÉS D'ÉDUCATION
PAROISSIAUX, 1935.”**

LES ETATS, dans le but d'éclaircir l'Article 23, intitulé "Proceedings for Non-Attendance", de la Loi intitulée "Loi relative à l'Instruction Primaire et aux fonctions du Conseil d'Education et des Comités d'Education Paroissiaux, 1935", sanctionnée par Ordre de Sa Majesté en Conseil en date du 29 mars, 1935, enregistré sur les Records de cette Ile le 13 avril, 1935, ont approuvé les dispositions suivantes rédigées en Anglais, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de Loi en cette Ile.

1.—AMENDMENT of Section 23 of the "Loi relative à l'Instruction Primaire etc. 1935" (hereinafter in this Law referred to as "the Law of 1935").

On the date upon which this Law comes into operation, paragraph (3) of Section 23, entitled "Proceedings for Non-Attendance", of the Law of 1935, shall be repealed and that Section shall have effect as if the following paragraph were substituted for the said paragraph.

"(3) (i) Any parent who

(a) sends a child to school in an unclean state, as regards either his person or his clothing, or in any state whatsoever which may prevent, or may justify a Master or Mistress of a school in preventing, such child from associating freely with other scholars, or

(b) withdraws a child from school without reasonable and sufficient cause, shall be deemed thereby to have neglected to send that child to school within the purport of this Section and shall be liable to the penalties imposed by this Section for such neglect.

- (ii) Any parent who prevents or obstructs the examination of a child under the provisions of paragraph (2) of Section 16 of this Law shall be deemed to be refusing or neglecting to give that child an education of the scope and standard specified in paragraph (2) of this Section and shall be liable to the penalties imposed by this Section for such refusal or neglect."

2. SAVINGS.

Nothing contained in this Law shall affect the validity of any proceedings taken, adjudication made or penalty or punishment imposed, or any other thing done, before the commencement of this Law, in virtue of the provisions of the Law of 1935 hereby repealed.

3. COMMENCEMENT AND SHORT TITLE.—

- (1) This Law shall come into operation on the day on which it is registered on the Records of this Island.
- (2) This Law may be cited as the Education (Amendment) Law (Guernsey), 1938.

QUERTIER LE PELLEY,
Greffier du Roi.