

ORDER IN COUNCIL

IV
1983

ratifying a Projet de Loi

ENTITLED

The Domestic Violence and Separation Proceedings (Guernsey) Law, 1983

(Registered on the Records of the Island of Guernsey
on the 7th day of June, 1983.)



1983.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 7th day of June, 1983 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:— Stanley Walter Gavey, Esquire, O.B.E., Albert Richard McCartney Straw, Esquire, Sydney Haydn Heard, Esquire, M.B.E., Brian Ernest Herbert Joy, Esquire, Charles Henry Hodder, Esquire, O.B.E., Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode and Geoffrey Ernest Le Page, 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, 1983, ratifying a *Projet de Loi* entitled "The Domestic Violence and Separation Proceedings (Guernsey) Law, 1983", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island.

At the Court at Buckingham Palace

The 18th day of May 1983

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 27th day of April 1983 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 Resolutions of the 30th day of April 1981 and the 28th day of January 1982 the States of Deliberation at a meeting held on the 28th day of April 1982 approved a Bill or “Projet de Loi” entitled “The Domestic Violence and Separation Proceedings (Guernsey) Law, 1983”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. 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 Domestic Violence and Separation Proceedings (Guernsey) Law, 1983", and to order that the same shall have force of law in 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."

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 Island 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.

N. E. Leigh.

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to determine what consumers want and what problems they are trying to solve. Once a need is identified, the next step is to develop a concept that addresses that need.

2. The second step is to create a prototype. This is a physical model of the product that allows you to test its functionality and appearance.

3. The third step is to conduct a feasibility study. This involves assessing the technical, financial, and market viability of the product.

4. The fourth step is to develop a business plan. This document outlines the company's goals, strategies, and financial projections.

5. The fifth step is to secure funding. This can be done through various means, including venture capital, angel investors, and crowdfunding.

6. The sixth step is to manufacture the product. This involves sourcing materials, hiring workers, and setting up a production line.

7. The seventh step is to launch the product. This involves marketing the product to consumers and getting it into stores.

8. The eighth step is to monitor the product's performance. This involves tracking sales, customer feedback, and market trends.

9. The ninth step is to iterate on the product. Based on feedback and market data, you may need to make improvements to the product.

10. The tenth step is to scale the product. Once the product is successful, you may want to expand its distribution and reach.

11. The eleventh step is to protect your intellectual property. This can be done through patents, trademarks, and copyrights.

12. The twelfth step is to build a strong brand. This involves creating a unique identity for your product and company.

13. The thirteenth step is to establish a distribution network. This involves finding partners to help you get your product into stores.

14. The fourteenth step is to provide excellent customer service. This is essential for building a loyal customer base.

15. The fifteenth step is to stay up-to-date on industry trends. This allows you to anticipate changes and adapt your product accordingly.

16. The sixteenth step is to build a strong team. This involves hiring talented people who can help you achieve your goals.

17. The seventeenth step is to maintain financial discipline. This involves keeping track of expenses and ensuring that you have enough funds to sustain the business.

18. The eighteenth step is to be flexible. The market is constantly changing, so you need to be able to adapt your strategy as needed.

19. The nineteenth step is to be persistent. Creating a successful product takes time and effort, so you need to stay committed to your vision.

20. The twentieth step is to celebrate your success. Once you have successfully launched and scaled your product, it's time to take a moment to appreciate your hard work.

21. The twenty-first step is to look for new opportunities. The market is always evolving, so you need to be on the lookout for new ideas and trends.

22. The twenty-second step is to stay motivated. Creating a product can be a challenging journey, so it's important to keep your spirits high.

23. The twenty-third step is to be open to feedback. Your customers and team members can provide valuable insights that can help you improve your product.

24. The twenty-fourth step is to be a good leader. If you are the founder or a key member of the team, you need to inspire and guide your team.

25. The twenty-fifth step is to be a good communicator. You need to be able to clearly articulate your vision and goals to your team and investors.

26. The twenty-sixth step is to be a good negotiator. You will need to negotiate with suppliers, investors, and other stakeholders.

27. The twenty-seventh step is to be a good problem solver. You will encounter many challenges along the way, so you need to be able to think creatively and find solutions.

28. The twenty-eighth step is to be a good time manager. You need to be able to prioritize tasks and manage your time effectively.

29. The twenty-ninth step is to be a good networker. Building a strong network can be crucial for your success.

30. The thirtieth step is to be a good listener. You need to be able to listen to your customers and team members to understand their needs and concerns.

31. The thirty-first step is to be a good decision maker. You need to be able to make tough decisions quickly and effectively.

32. The thirty-second step is to be a good risk taker. Creating a new product involves taking risks, so you need to be willing to take calculated risks.

33. The thirty-third step is to be a good team player. You need to be able to work well with others and contribute to the team's success.

34. The thirty-fourth step is to be a good learner. You need to be able to learn from your mistakes and adapt to new information.

35. The thirty-fifth step is to be a good communicator. You need to be able to communicate effectively with your team and customers.

36. The thirty-sixth step is to be a good negotiator. You need to be able to negotiate effectively with your suppliers and investors.

37. The thirty-seventh step is to be a good problem solver. You need to be able to solve problems quickly and effectively.

38. The thirty-eighth step is to be a good time manager. You need to be able to manage your time effectively.

39. The thirty-ninth step is to be a good networker. You need to be able to build a strong network.

40. The fortieth step is to be a good listener. You need to be able to listen to your customers and team members.

41. The forty-first step is to be a good decision maker. You need to be able to make tough decisions quickly and effectively.

42. The forty-second step is to be a good risk taker. You need to be able to take calculated risks.

43. The forty-third step is to be a good team player. You need to be able to work well with others.

44. The forty-fourth step is to be a good learner. You need to be able to learn from your mistakes.

45. The forty-fifth step is to be a good communicator. You need to be able to communicate effectively.

46. The forty-sixth step is to be a good negotiator. You need to be able to negotiate effectively.

47. The forty-seventh step is to be a good problem solver. You need to be able to solve problems quickly and effectively.

48. The forty-eighth step is to be a good time manager. You need to be able to manage your time effectively.

49. The forty-ninth step is to be a good networker. You need to be able to build a strong network.

50. The fiftieth step is to be a good listener. You need to be able to listen to your customers and team members.

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

PROJET DE LOI

ENTITLED

The Domestic Violence and Separation Proceedings (Guernsey) Law, 1983

ARRANGEMENT OF SECTIONS

Section

PART I

DOMESTIC VIOLENCE AND SEPARATION PROCEEDINGS

1. Matrimonial injunctions.
2. Arrest for breach of matrimonial injunction.
3. Variation, etc., of matrimonial injunction.
4. Appeal.
5. Enforcement of matrimonial injunctions.

PART II

AMENDMENT TO SEPARATION LAW

6. Amendment to Separation Law of 1930.

PART III

MISCELLANEOUS PROVISIONS

7. Interpretation.
8. Citation.

PROJET DE LOI

ENTITLED

The Domestic Violence and Separation Proceedings (Guernsey) Law, 1983

THE STATES, in pursuance of their Resolutions of the thirtieth day of April, nineteen hundred and eighty-one, and of the twenty-eighth day of January, nineteen hundred and eighty-two, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

PART I

DOMESTIC VIOLENCE AND SEPARATION PROCEEDINGS

Matrimonial
injunctions.

1. (1) On an application by a party to a marriage the Court shall have jurisdiction to grant a matrimonial injunction containing one or more of the following provisions, namely—

- (a) a provision restraining the other party to the marriage from molesting the applicant;
- (b) a provision restraining the other party from molesting a child living with the applicant;
- (c) a provision excluding the other party from the matrimonial home or a part of the matrimonial home or from a specified area in which the matrimonial home is included;
- (d) a provision requiring the other party to permit the applicant to enter and remain in the matrimonial home or a part of the matrimonial home;

whether or not any other relief is sought in the proceedings.

(2) The provisions of the last preceding subsection shall apply to a man and a woman who are living with each other in the same household as husband and wife as it applies to the parties to a marriage and any reference to the matrimonial home shall be construed accordingly.

2. (1) Where, on an application by a party to a marriage, the Court grants a matrimonial injunction containing a provision (in whatever terms)—

Arrest for
breach of
matrimonial
injunction.

- (a) restraining the other party to the marriage from using violence against the applicant; or
- (b) restraining the other party from using violence against a child living with the applicant; or
- (c) excluding the other party from the matrimonial home or from a specified area in which the matrimonial home is included;

the Court may, if it is satisfied that the other party has caused actual bodily harm to the applicant or, as the case may be, to the child concerned and considers that he is likely to do so again, attach a power of arrest to the injunction.

(2) References in the last preceding subsection to the parties to a marriage include references to a man and a woman who are living with each other in the same household as husband and wife and any reference in that subsection to the matrimonial home shall be construed accordingly.

(3) If, by virtue of the provisions of subsection (1) of this section, a power of arrest is attached to a matrimonial injunction, an officer of police may arrest without warrant a person whom he has rea-

sonable cause for suspecting of being in breach of such a provision of that injunction as falls within paragraphs (a) to (c) of the aforesaid subsection (1) by reason of that person's use of violence or, as the case may be, of his entry into any premises or area.

(4) Where a power of arrest is attached to a matrimonial injunction and a person to whom the injunction is addressed is arrested under the provisions of the last preceding subsection—

(a) he shall be brought before the Court within the period of seventy-two hours beginning at the time of his arrest; and

(b) he shall not be released within that period except on the direction of the Court;

but nothing in this section shall authorise his detention at any time after the expiry of that period.

Variation,
etc., of
matrimonial
injunction.

3. (1) Where a matrimonial injunction has been granted, the Court may, on an application by a party to the marriage to which the injunction relates, at any time, alter, vary or discharge any such injunction.

(2) The reference in the last preceding subsection to a party to the marriage includes a reference to a man and a woman who are living with each other in the same household as husband and wife.

Appeal.

4. (1) A party to the marriage aggrieved by a decision of the Court in making, altering, varying or discharging a matrimonial injunction under any provisions of this Law or in refusing to make, alter, vary or discharge any such injunction, may appeal to the Royal Court sitting as an Ordinary Court.

(2) The reference in the last preceding subsection to a party to the marriage includes a reference to a man and a woman who are living with each other in the same household as husband and wife.

(3) The provisions of section fourteen of the Law of 1954 shall apply to an appeal made under this section in like manner as they apply to appeals made under the aforesaid section fourteen.

5. Where any person disobeys a matrimonial injunction, he may be produced before the Court and shall be liable to imprisonment for a term not exceeding three months. Enforcement of matrimonial injunctions.

PART II

AMENDMENT TO SEPARATION LAW

6. Immediately after Article 7 of the Law entitled "Loi relative à la Séparation de Mariés en Police Correctionnelle" registered on the twenty-first day of August, nineteen hundred and thirty, as amended(a), there is hereby inserted the following Article numbered "8"—

Amendment to Separation Law of 1930.

"Appeal.

8. (1) A married man or a married woman, as the case may be, aggrieved by a decision of the Court in making, altering, varying or discharging an order under any provisions of this Law or in refusing to make, alter, vary or discharge any such order, may appeal to the Royal Court sitting as an Ordinary Court.

(a) Ordres en Conseil Vol. VIII, p. 452; Vol. XI, p. 321; Vol. XVI, p. 173; Vol. XIX, p. 21; Vol. XXIII, p. 489.

(2) The provisions of section fourteen of the Magistrate's Court (Guernsey) Law, 1954, shall apply to an appeal made under this Article in like manner as they apply to appeals made under the aforesaid section fourteen."

PART III

MISCELLANEOUS PROVISIONS

Interpre-
tation.

7. (1) In this Law, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Court" means the Magistrate's Court constituted under and by virtue of the Law of 1954;

"the Law of 1954" means the Magistrate's Court (Guernsey) Law, 1954(b);

"matrimonial injunction" means an injunction, for the time being in force, granted by the Court under the provisions of section one of this Law and includes such an injunction as altered or varied by the Court under the provisions of section three of this Law and the expression "injunction" shall be construed accordingly;

"officer of police" means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey.

(b) Ordres en Conseil Vol. XVI, p. 103.

(2) Any reference in this Law to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Law.

8. This Law may be cited as the Domestic Violence and Separation Proceedings (Guernsey) Law, 1983. Citation.

A. INNES,
Her Majesty's Deputy Greffier.