

# ORDER IN COUNCIL

ratifying a *Projet de Loi*

ENTITLED

**"The Black List (Sark) Law, 1951."**

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(Registered on the Records of the Island of Guernsey  
on the 23rd day of June, 1951.)

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## ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY.

*The 23rd day of June, 1951, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present:— Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Arthur Falla, Walter John Sarre, William Robert Freake Clark, Walter John Gavey, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., and Osmond Priaulx, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 31st day of May, 1951, ratifying a *Projet de Loi* of the Chief Pleas of the Island of Sark entitled "The Black List (Sark) Law, 1951",—the Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by His Majesty's Greffier to the Seneschal of Sark for registration on the records of that Island, of which Order in Council the tenor followeth:—

## At the Court at Buckingham Palace.

The 31st day of May, 1951.

Present,

### The King's Most Excellent Majesty

CHANCELLOR OF THE DUCHY OF LANCASTER

LORD HENDERSON

MR. SECRETARY GORDON-WALKER

MR. TOM WILLIAMS

SIR JOHN MORRIS.

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 22nd day of May, 1951, 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 Robert Woodward Hathaway, Esquire, Seigneur, William Baker, Esquire, Sénéchal, and Philip Guille, Esquire, Prévôt, of the Island of Sark, setting forth:—

‘The Chief Pleas of Sark, in pursuance of their Resolutions of the 17th day of January, 1951, and of the 13th day of March, 1951, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Sark.

1. In this Law—the expressions “licensed premises” and “licensees” shall respectively mean premises licensed for the sale of and persons licensed to sell spirits, wines, beer, cider

or any other alcoholic drink ; the expression "relative" in connection with a person shall mean his spouse, parent, grand-parent, adult child, adult grand-child, brother, sister, uncle, aunt or guardian and in the case of a relative by blood shall include a relative of the half-blood. 2. A person who, being convicted of an offence committed while in a state of intoxication within twelve months of the date of a previous such conviction, whether such previous conviction occurred before or after the commencement of this Law, or within twelve months of the expiry of an order of the Court made in respect of him under this Law may be forbidden, by order of the Court (hereinafter referred to as "a Court order"), to enter for the purpose of procuring alcoholic drink any licensed premises on this Island or to procure whether on such premises or elsewhere any alcoholic drink, for such period, not exceeding twelve months, as the Court order shall prescribe. 3. Application in respect of a person who is addicted to drinking to excess may be made to the Court for a Court order by the Constable or by not less than three relatives of the person who is the subject of the application: provided that the last-named person be afforded a reasonable opportunity of appearing in Court and presenting his objections to the application, if any. 4. A list of the names of all persons the subject of a Court order shall be kept by the Greffier who shall supply to the Constable a copy of every Court order. The Constable shall notify to all the licensees of the Island the name and address of the person subject to a Court order, and the duration thereof. 5. Every person, the subject of a Court order, who knowingly contravenes the provisions of that order, and every person who knowingly abets or permits a contravention of

such provisions, shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding two days or to a fine not exceeding two pounds. 6. Nothing in this Law contained shall prohibit the consumption or supply of alcoholic drink in pursuance of a prescription given by a doctor authorised to practise in any of the Islands of the Bailiwick of Guernsey. 7. The Chief Pleas of Sark may by Ordinance make such provisions as they deem necessary for the putting into effect of this Law. 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 Chief Pleas of Sark, entitled "The Black List (Sark) Law, 1951," and to order and direct that the same shall have force of Law in the Island of 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."

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 Sark.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi, be entered upon the Registers of the Islands of Guernsey and Sark and observed accordingly.

AND the Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Bailiwick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*E. C. E. Leadbitter.*

JAMES E. LE PAGE,

H.M. Greffier.