

ORDER IN COUNCIL

IV
1978

ratifying a Projet de Loi

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1978

(Registered on the Records of the Island of Guernsey
on the 21st March, 1978.)



1978

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 21st day of March, 1978, before Sir John Loveridge, Kt., C.B.E., Bailiff; present:—Claude Fortescue Nason, Esquire, Stanley Walter Gavey, Esquire, O.B.E., D'Arcy George Le Tissier, Esquire, Edward James Lainé, Esquire, C.B.E., D.F.C., Richard Alan Kinnersly, Esquire, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires, Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C. and Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 9th day of February, 1978, ratifying a *Projet de Loi* entitled "The Reform (Amendment) (Guernsey) Law, 1978", the Court, after the reading of the said Order in Council, and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 9th day of February 1978

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 31st day of January 1978 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 31st day of March 1976, the 27th day of October 1976 and the 30th day of March 1977, the States of Deliberation at a meeting held on the 28th day of September 1977 approved a Bill or “Projet de Loi” entitled “The Reform (Amendment) (Guernsey) Law, 1978”, 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 Reform (Amendment) (Guernsey) Law, 1978”,

and to order that the same shall have force of law in the Islands of Guernsey, Herm and Jethou.'

"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 Islands, of Guernsey, Herm and Jethou.

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

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

PROJET DE LOI

ENTITLED

The Reform (Amendment) (Guernsey) Law, 1978

THE STATES, in pursuance of their Resolutions of the thirty-first day of March, nineteen hundred and seventy-six, the twenty-seventh day of October, nineteen hundred and seventy-six, and the thirtieth day of March, nineteen hundred and seventy-seven, 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, Herm and Jethou.

1. The Reform (Guernsey) Law, 1948(a), as amended(b) (hereinafter referred to as "the principal Law") is hereby further amended as follows, that is to say:—

Amend-
ments to
principal
law.

- (a) the full stop at the end of paragraph (2) of Article four thereof is deleted and a colon and the following proviso are substituted therefor—

"Provided that on and after the date on which the Reform (Amendment) (Guernsey) Law, 1978, comes into force the ten Rectors shall not, by reason only of their being Rectors, be members of the States of Election for the purpose of electing a person

(a) Ordres en Conseil Vol. XIII, p. 288.

(b) Ordres en Conseil Vol. XIV, p. 407; Vol. XV, p. 279; Vol. XVIII, p. 275; Vol. XIX, p. 84 and p. 140; Vol. XXIII, p. 476; and Vol. XXV, p. 326.

to the office of ~~Conseiller~~ or for the purpose of nominating or seconding a person as a candidate for such office.”;

- (b) paragraph (1) of Article six thereof is repealed and the following paragraph is substituted therefor—

“(1) A Quorum of the States of Election shall be—

(a) in respect of an election to the office of Jurat, the President or Acting President, as the case may be, and at least sixty other members; or

(b) in respect of an election to the office of Conseiller, the President or Acting President, as the case may be, and at least fifty other Members.”;

- (c) Article thirty-six thereof is repealed and the following Article is substituted therefor—

“Candi-
dates
permitted to
procure
copies of
relevant
section of
Electoral
Roll.

36. At any election each candidate shall be entitled upon application to the Greffe made during the four weeks immediately preceding the date fixed for the holding of such election to procure from the Greffe not more than five copies of the section of the Electoral Roll concerning the District for which he is a candidate on payment to Her Majesty's Greffier of the sum of twelve and a half new pence for each such copy.”;

- (d) Article thirty-nine thereof is repealed and the following Article is substituted therefor—

“Hours of
polling.

39. (1) Subject to the provisions of paragraph (2) of this Article, at every election the polling stations shall open at ten o'clock in the morning and shall be kept open until eight o'clock in the evening of the same day.

(2) The States may, from time to time, by Ordinance vary the times at which the polling stations shall open and close and may so provide that the polling stations shall open and close at different times in different Districts.”;

- (e) in paragraph (1) of Article forty-five thereof the words “seven days” are repealed and the words “fourteen days” are substituted therefor;
- (f) in paragraph (3) of Article fifty-nine thereof, the words from and including the words “at a place selected by the Douzaine” to and including the words “ballot papers at the polling station” are repealed and the following words are substituted therefor—
“at each polling station which shall be established by the Constables in accordance with the provisions of the next following Article and shall give notice of such date and of the location of each such polling station by means of an announcement in the “Gazette Officielle”, and shall be responsible for the supply of ballot papers at each such polling station.”;

- (g) Article sixty thereof is repealed and the following Article is substituted therefor—

"Polling
Stations.

60. Where at any election a secret ballot is demanded as aforesaid, the Constables of the Parish concerned shall provide for the establishment of a polling station therein and may provide for the establishment of such additional polling stations therein as they may deem to be convenient to the electorate."

Amend-
ment to Law
of 1972.

2. In section five of the Reform (Amendment) (Guernsey) Law, 1972(c), the words "twelve days" are hereby repealed and the words "five days" are hereby substituted therefor.

Saving.

3. Notwithstanding the foregoing provisions of this Law, where, before the day of coming into force of this Law, notice of the date and place of an election has been duly given in accordance with the provisions of the principal Law and such date falls on or after the day of coming into force of this Law, the provisions of the principal Law shall continue to apply in relation to that election in all respects as if this Law had not been enacted.

Citation and
collective
title.

4. (1) This Law may be cited as the Reform (Amendment) (Guernsey) Law, 1978.

(2) This Law and the Reform (Guernsey) Laws, 1948 to 1975, may be cited together as the Reform (Guernsey) Laws, 1948 to 1978.

K. H. TOUGH,
Her Majesty's Deputy Greffier.