

The B Settlement

Jurisdiction:	Jersey
Judge:	P.R. Le Cras, Jurats de Veulle, Quérée.
Judgment Date:	07 July 2001
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Text

[2001] JRC 144A

ROYAL COURT

(Samedi Division)

Before:

P.R. Le Cras, **Esq., Commissioner and** Jurats de Veulle, **and** Quérée.

In the Matter of The B Settlement

Advocate M.J. Thompson **for the Trustee.**

Advocate D.J. Benest, ***Guardian ad Litem*** of the minor **Beneficiaries of the Settlement.**

No Authorities

AND

IN THE MATTER OF

An application by the Trustee of the Settlement, for directions under Article 47 of the Trusts (Jersey) Law, 1984.

Preliminary Application by the Trustee for directions as to whether an application under Article 47 of the said Law may be heard by the President sitting alone without Jurats.

THE COMMISSIONER:

- 1 Counsel has raised the question as to whether on an application under Article 47 of the Trusts (Jersey) Law it is necessary for the Jurats to sit or whether the President can sit alone, and has asked for a ruling. Although this is an Article 47 application, it is to a great extent a procedural one. As far as can be seen, there are no facts to be found. It is a case of evaluating claims on the affidavits to date, not of finding any facts and is therefore, in my view, an exercise of Judicial discretion where the Bailiff, or, more accurately, the President, can sit alone and in a case of this nature indeed ought to do so in order that the case may move forward with celerity as was done on a regular basis in the proceedings in *Trueger*. The Jurats will leave us and we will continue after a short adjournment during which I hope to read the papers which are yet to come.