

Orders of the Royal Court

II

1986



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 4th day of February, 1986 before Graham Martyn Dorey, Esquire, Deputy Bailiff, present:—Albert Richard McCartney Straw, Donald Pescott Plummer, Brian Ernest Herbert Joy, Esquires, Charles Henry Hodder, Esquire, O.B.E., Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires and Mrs. Dorothy Winifred Le Pelley, Jurats.

No. II Order, 1986

ENTITLED

The Restriction of Vexatious Legal Proceedings Rules, 1986

THE ROYAL COURT, in exercise of the powers conferred upon it by section 3 of the Restriction of Vexatious Legal Proceedings (Guernsey) Law, 1985(a), and of all other powers enabling it in that behalf, hereby orders:—

(a) Order in Council No. VII of 1985.

Applica-
tions under
the Law.

1. (1) An application to the Court under section 1(1) of the Law shall be made by way of summons which shall be served on the person in respect of whom it is sought to obtain an order (hereinafter referred to as “the respondent”).

(2) A summons under paragraph (1) shall be supported by an affidavit containing such particulars as, in the opinion of Her Majesty’s Procureur, are relevant.

(3) A copy of the supporting affidavit shall be served with the summons on the respondent.

Further
particulars
to be
furnished to
the Court.

2. The Court may at any time require Her Majesty’s Procureur to furnish such further particulars concerning the application as it may direct.

Non
appearance
by
respondent.

3. If the respondent does not appear on the day fixed for the hearing of the application, the Court may proceed with the hearing in his absence and may make such Order under section 1 of the Law as may be just.

Costs.

4. Subject to the provisions of any enactment or any rule, the costs of and incidental to proceedings under the Law shall be in the discretion of the Court.

Interpreta-
tion.

5. (1) In these Rules—

“Her Majesty’s Procureur” includes Her Majesty’s Comptroller;

“the Law” means the Restriction of Vexatious Legal Proceedings (Guernsey) Law, 1985, and any other expressions have the same meanings as in the Law.

(2) The Interpretation (Guernsey) Law, 1948(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an enactment.

(3) Any reference in these Rules 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 these Rules.

6. These Rules may be cited as the Restriction of **Citation.**
Vexatious Legal Proceedings Rules, 1986.

K. H. TOUGH,

Her Majesty's Greffier.

**Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.**

PRICE 25p