

Orders of the Royal Court

II

1988



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 11th day of April, 1988 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:—Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicholle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, and John Edward Morris, Esquires, Jurats.

No. II Order, 1988

ENTITLED

The Royal Court (Non-contentious Applications) Rules, 1988

THE ROYAL COURT, in pursuance of Article 64 of the Reform (Guernsey) Law, 1948(a), Section 12 of the Royal Court of Guernsey (Miscellaneous Reform Provisions) Law, 1950(b), and of all other powers enabling it in that behalf, hereby orders:—

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

(b) Ordres en Conseil Vol. XIV, p. 388.

Applications under these Rules.

1. Applications to the Ordinary Court under any of the provisions specified in the First Schedule hereto (hereinafter in these Rules described as "Scheduled Applications") may be made in the manner prescribed by these Rules.

Delivery of Scheduled Applications to H.M. Greffier.

2. Scheduled Applications may be made by the Advocate having the conduct of the same delivering to Her Majesty's Greffier a Cause in the usual form on which is endorsed a certificate signed by the Advocate in the form specified in the Second Schedule hereto together with all necessary documents in connection therewith.

Disposal of Scheduled Applications.

3. The powers of the Ordinary Court to dispose of any Scheduled Application may be exercised by the Bailiff sitting alone in Chambers without the presence of Counsel.

Interpretation.

4. In these Rules, unless the context otherwise requires:—

"Articles" has the same meaning as "Status pour la conduite de la Societe" in the Law of 1908;

"the Ordinary Court" means the Royal Court sitting as an Ordinary Court;

"The Law of 1908" means the Law entitled "The Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée" registered on the 21st day of March, 1908(c);

"Memorandum" has the same meaning as "Acte de Société" in the Law of 1908;

Citation.

6. These Rules may be cited as the Royal Court (Non-contentious Applications) Rules, 1988.

FIRST SCHEDULE Rule 1

Classes of Scheduled Applications

1. Applications under Articles III and V of the Law of 1908 seeking approval of the Registration of the Memorandum and/or Articles of a Limited Liability Company.
2. Applications under Article LVIII of the Law of 1908 to confirm the alteration or modification of or addition to the Articles of a Limited Liability Company.
3. Applications under Sections 39, 42 and 56 of the "Loi ayant rapport aux Patentes, Dessins et Marques de Fabrique" registered on the 4th of November, 1922, as amended,^(d) for registration, renewal and assignment of Trade Marks.
4. Applications made ex parte for permission to Register Leases on the Records of this Island.

SECOND SCHEDULE Rule 2

*Form of certificate to be endorsed**on Causes relating to Scheduled Applications*

To H.M. Greffier

I request you to lay the application to which this Cause relates before the Ordinary Court in accordance with the provisions of the Royal Court (Non-contentious Applications) Rules, 1988.

(d) Ordres en Conseil Vol. VII, p. 1; Vol. XVIII, p. 129.

