

Orders of the Royal Court

IV

1983



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 17th day of May, 1983 before Charles Keith Frossard, Esquire, Bailiff; present:—Stanley Walter Gavey, Esquire, O.B.E., Albert Richard McCartney Straw, Esquire, Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Donald Pescott Plummer, Esquire, Sydney Haydn Heard, Esquire, M.B.E., Brian Ernest Herbert Joy, Esquire, Charles Henry Hodder, Esquire, O.B.E., Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode and Geoffrey Ernest Le Page, Esquires, Jurats.

No. 4 Order, 1983

ENTITLED

The Matrimonial Causes (Amendment) Rules, 1983

THE ROYAL COURT, in exercise of the powers conferred upon it by Article 6 of the Matrimonial Causes Law (Guernsey) 1939(a), as amended, and by Article 64 of the Reform (Guernsey) Law, 1948(b), and of all other powers enabling it in that behalf, hereby orders:—

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- (a) Ordres en Conseil Vol. XI, p. 318; Vol. XII, p. 278; Vol. XIII, p. 38; Vol. XV, p. 422; Vol. XVII, p. 249; Vol. XXII, p. 102; Vol. XXIII, p. 489 and No. VI of 1979.
(b) Ordres en Conseil Vol. XIII, p. 288.

Amend-
ments to
Rules of
1952.

1. The Rules of Court set out in the Schedule to the Matrimonial Causes Rules, 1952, as amended (c) (hereinafter referred to as "the principal Rules"), are hereby further amended as follows:—

- (a) in sub-paragraph (c) of paragraph (1) of Rule 15 thereof the words "fourteen days' notice" are repealed and the words "seven days' notice" are substituted therefor;
- (b) paragraphs (3) and (4) of Rule 38 thereof are repealed and the following paragraphs are substituted therefor—

" (3) Within fourteen days after delivery of any affidavit by a husband under this Rule or within such other time as the Court may fix, the wife shall file an affidavit in reply containing full particulars of her property and income.

(4) Where a wife is served with a petition or with a notice of an application in respect of which the provisions of paragraphs (1) or (2), as the case may be, apply, the provisions of paragraphs (1), (2) and (3) of this Rule shall have effect as if for the references to the husband there were substituted references to the wife, and for the references to the wife there were substituted references to the husband."

2. These Rules (including the amendments made by them) shall have effect in relation to any petition in a matrimonial suit presented before the coming

Savings
for
petitions
presented
before these
Rules came
into force.

(c) Orders of the Royal Court Vol. I, p. 64; No. I of 1973; No. II of 1973 and No. I of 1980.

into force of these Rules save that for the purposes of any such suit, where before the coming into force of these Rules an affidavit has been filed under the provisions of paragraphs (1) or (2) of Rule 38 of the principal Rules, the period prescribed under the provisions of paragraph (3) of the said Rule 38 of the principal Rules as amended by these Rules shall be the period within twenty-eight days after the coming into force of these Rules or within such other time as the Court may fix.

3. These Rules may be cited as the Matrimonial Causes (Amendment) Rules, 1983. Citation.

4. These Rules and the Matrimonial Causes Rules, 1952 and 1980, may be cited together as the Matrimonial Causes Rules, 1952 to 1983. Collective title.

5. These Rules shall come into force on the first day of June, nineteen hundred and eighty-three. Commencement.

K. H. TOUGH,

Her Majesty's Greffier.

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

PRICE 15p