

# Orders of the Royal Court

**VIII**  
**1989**



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 28th day of November, 1989 before Sir Charles Frossard, Kt., Bailiff; present:— Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.*

**No. 8 Order, 1989**

ENTITLED

## **The Magistrate's Court (Criminal Appeals) (Amendment) Rules, 1989**

THE ROYAL COURT, in exercise of the powers conferred upon it by section 9 of the Magistrate's Court (Criminal Appeals) (Guernsey) Law, 1988(a), section 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 No. XI of 1988.  
(b) Ordres en Conseil Vol. XIII, p. 288.

Amendment  
of the  
Principal  
Rules.

1. The Magistrate's Court (Criminal Appeals Rules, 1989(c) (hereinafter referred to as "the Principal Rules") are amended as follows:—

(a) the full stop at the end of Rule 1(1) is deleted and the following words added thereto:—

“or if the appeal is at the instance of the prosecution by means of the Form entitled, “Prosecutor's notice of appeal from the Magistrate's Court” contained in Form 6 of the Schedule to these Rules.”;

(b) in Rule 2(5) the word “shall” is deleted and the word “may” substituted therefor;

(c) Schedule I to the Principal Rules is amended by adding thereto a further Form numbered 6 in the form set out in the Schedule to these Rules.

Citation.

2. These Rules may be cited as the Magistrate's Court (Criminal Appeals) (Amendment) Rules, 1989.

SCHEDULE

Form 6

PROSECUTOR'S NOTICE OF APPEAL FROM  
MAGISTRATE'S COURT

(Magistrate's Court) (Criminal Appeals) (Guernsey)  
Law, 1988.

Section 1, Magistrate's Court (Criminal Appeals)  
Rules, 1989, as amended Rule 1(1).

To Her Majesty's Greffier, Royal Court House,  
Guernsey.

I, \_\_\_\_\_ a Law Officer of the  
Crown, hereby give notice that it is the intention  
of the Law Officers of the Crown to appeal to the  
Royal Court against the acquittal of  
(name of the Respondent) on \_\_\_\_\_ (date)  
by the Magistrate's Court for (set out offence(s) in  
brief).

The grounds of appeal are:— \_\_\_\_\_ (set  
out grounds in full) and the Magistrate's Court has  
upon the application of the prosecution on  
\_\_\_\_\_ (date) certified that there is in  
contest in this case a question of Law or of mixed  
Law and fact which it would be desirable to have  
decided by the Royal Court, namely: (give details).

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .  
Signed:

H.M. Procureur/H.M. Comptroller.

D. R. DOREY,  
Her Majesty's Deputy Greffier.

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