

Island of  Guernsey

Ordinance of the States **XXII**

1981

Made 1st October, 1981.
Came into Operation ... 1st October, 1981.

**The Criminal Appeal (Fees and Expenses)
(Amendment) (Guernsey) Ordinance, 1981**

THE STATES, on the representations of the States Advisory and Finance Committee and in exercise of the powers conferred upon them by subsection (4) of section thirty-six of the Court of Appeal (Guernsey) Law, 1961(a), hereby order:—

1. The Criminal Appeal (Fees and Expenses) (Guernsey) Ordinance, 1964(b), (hereinafter referred to as “the principal Ordinance”), is hereby amended as follows:—

Amendments to Ordinance of 1964.

- (a) in subsection (1) of section three thereof the words “twenty guineas” are repealed and the words “one hundred pounds” are substituted therefor;

(a) Ordres en Conseil Vol. XVIII, p. 315.

(b) Recueil d'Ordonnances Tome XIV, p. 21.

(b) subsection (2) of section three thereof is repealed and the following subsection is substituted therefor:—

“(2) Subject to the provisions of this Ordinance, an advocate assigned to an appellant by the Court shall be allowed in respect of the hearing of an appeal—

(a) where the hearing of the appeal has been concluded on the day on which it commenced, such fee, not exceeding one hundred pounds, as appears to be proper in all the circumstances of the case;

(b) where the hearing of the appeal has not been so concluded, in respect of the first day of the hearing and in respect of each subsequent day on any part of which the hearing is continued, such fee, not exceeding one hundred pounds per day, as appears to be proper in all the circumstances of the case.”;

(c) in section eight thereof:—

(i) the words “six guineas” are repealed and the words “fifty pounds” are substituted therefor;

(ii) in the Proviso thereto, the words “three guineas” are repealed and the words “thirty pounds” are substituted therefor;

(d) in section ten thereof:—

- (i) the words "forty shillings" are repealed and the words "fifteen pounds" are substituted therefor;
 - (ii) in the Proviso thereto, the words "twenty shillings", where those words twice occur, are repealed and the words "ten pounds" are substituted therefor;
- (e) in section eleven thereof:—
- (i) in paragraph (a) thereof, the words "five shillings" are repealed and the words "two pounds" are substituted therefor;
 - (ii) in paragraph (b) thereof, the words "ten shillings" are repealed and the words "four pounds" are substituted therefor;
 - (iii) in paragraph (c) thereof, the words "twelve shillings and sixpence" are repealed and the words "six pounds" are substituted therefor;
- (f) in section twelve thereof, the words "or a sum of forty shillings a night, whichever be the less" are repealed;
- (g) in paragraph (a) of subsection (1) of section thirteen thereof, the words "forty shillings" are repealed and the words "ten pounds" are substituted therefor.

2. Notwithstanding anything contained in this **Saving**. Ordinance, the provisions of the principal Ordinance shall continue to have effect in relation to any proceeding or matter commenced before the coming into force of this Ordinance in all respects as if this Ordinance had not been made.

Citation and
collective
title.

3. This Ordinance may be cited as the Criminal Appeal (Fees and Expenses) (Amendment) (Guernsey) Ordinance, 1981, and this Ordinance and the principal Ordinance may be cited together as the Criminal Appeal (Fees and Expenses) (Guernsey) Ordinances, 1964 and 1981.

K. H. TOUGH,
Her Majesty's Greffier.

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

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