

ORDER IN COUNCIL

XII
1989

ratifying a Projet de Loi

ENTITLED

The Guernsey Southern Agricultural and Horticultural Society (Incorpor- ation) (Guernsey) Law, 1989

(Registered on the Records of the Island of Guernsey
on the 6th June, 1989.)



1989

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 6th day of June, 1989 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present: Brian Ernest Herbert Joy, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 15th March, 1989 approving and ratifying a *Projet de Loi* of the States of Guernsey entitled "The Guernsey Southern Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 15th day of March 1989

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 14th day of February 1989, in the words following, viz:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petitions of the States of the Island of Guernsey setting forth:—

‘1. That, in pursuance of their Resolutions of the 16th day of March, 1988, the States of Deliberation at a meeting held on the 26th day of October, 1988, approved Bills or “Projets de Loi” entitled “The Guernsey Southern Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989”, “The West United Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989” and “The Northern Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989” and requested the Bailiff to present most humble Petitions to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bills or “Projets de Loi” are set forth in the Schedules hereunto annexed. And most humbly praying that Your Majesty might be graciously

pleased to grant Your Royal Sanction to the said Bills or "Projets de Loi" of the States of Guernsey and to order that the same shall have force of law in the Island of Guernsey.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petitions and the said Projets de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayers of the said Petitions and to approve of and ratify the said Projets de Loi."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projets de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projets de Loi (copies whereof are hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G I. de Deney.

PROJET DE LOI

ENTITLED

The Guernsey Southern Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989

THE STATES, in pursuance of their Resolution of the 16th day of March, 1988, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. (1) The society called "The Guernsey Southern Agricultural and Horticultural Society" ("the former society") is incorporated by the name of "The Guernsey Southern Agricultural and Horticultural Society" ("the Society"). Incorporation.

(2) The Society is a body corporate with perpetual succession and a common seal, capable of suing and being sued in its name.

(3) The Society shall consist—

(a) upon incorporation, of the members of the former society;

(b) thereafter, of its members from time to time.

2. The objects of the Society are to promote and encourage agricultural and horticultural interests in the parishes of Saint Peter Port, Saint Martin, the Forest and Saint Andrew, and in furtherance thereof— Objects.

- (a) to promote or arrange events;
- (b) to procure the writing, printing, publishing and circulation, gratuitously or otherwise, of any reports, periodicals, books or other documents; and
- (c) to co-operate with persons, institutions and others, wherever situated, in establishing or promoting these objects.

Rules as to
management,
etc.

3. (1) The Society may in general meeting make rules as to the conduct and management of its affairs and (without prejudice to the generality of the foregoing) as to—

- (a) the classification of its members and the qualification for membership of each class;
- (b) the calling, conduct and proceedings of general meetings;
- (c) the setting up of a committee ("the Committee") to act as the governing body of the Society, and the appointment by the Committee of such sub-committees, for such purposes and with such powers as the Committee deems necessary or expedient;
- (d) the proceedings, powers and duties of the Committee and its sub-committees;
- (e) the offices of the Society and the tenure, powers and duties thereof and appointments thereto;
- (f) the method of changing such rules.

(2) The rules of the former society confirmed at its annual general meeting of the 24th November, 1987 shall have effect upon incorporation as if they were rules made under subsection (1).

(3) Rules under subsection (1) may provide—

- (a) that all powers conferred by this Law on the Society, other than powers required to be exercised in general meeting, may be exercised by the Committee;
- (b) for the delegation of any such power by the Committee to any sub-committee appointed by it under the rules.

(4) The Committee may impose conditions, rules and limitations as to the exercise of any power so delegated.

4. The officers and members of the committee of the former society immediately prior to incorporation shall be respectively the first officers and members of the Committee, and shall retire when they would have retired had incorporation not occurred. Officers of Committee.

5. All property vested in the former society, or in any person in trust for it, shall upon incorporation, vest in the Society, which shall be subject to and shall discharge all obligations and liabilities to which the former society was subject immediately prior to incorporation. Vesting of property and transfer of liabilities.

6. The Society may, in order to further and carry out its objects, do anything reasonably necessary or expedient and (without prejudice to the generality of the foregoing)— Powers.

- (a) acquire and hold any property;
- (b) maintain and manage, or assist in the maintenance or management of, any property, for reward or otherwise;

- (c) make and vary conditions governing access to events (including the payment of entrance fees);
- (d) establish and manage investment funds and for that purpose acquire property and (in order to re-invest the proceeds) dispose of any property so acquired, applying the income of each fund to the objects of the Society;
- (e) raise money by borrowing on the security of any of the Society's property, provided that the borrowing is not inconsistent with any trust, covenant, contract or title affecting the property;
- (f) adopt and issue regulations as to events;
- (g) provide such amenities and facilities as the Society considers to be conducive to its objects;
- (h) set up and establish such boards, committees and other bodies, promote such social functions, and embark upon such appeals for financial and other support (including sponsorship), as the Society considers to be desirable.

No dividends
etc. to be
paid.

7. No dividend, bonus or other profits shall be paid from the income or property of the Society to any member thereof, but a member may —

- (a) in the ordinary course of his trade, business or profession, supply goods, services or advice to the Society for reward;
- (b) serve the Society in any salaried office or paid employment;

(c) receive value for any property or right transferred or granted by him to the Society.

8. No member of the Society is liable for, or to contribute towards, the liabilities of the Society beyond the amount of any subscription, contribution or other debt due from him to the Society. Limitation of liability.

9. A general meeting of the Society shall be held at least once in every calendar year. Annual general meeting.

10. (1) Proper accounts shall be kept of all monies received and expended by the Society. Accounts.

(2) At least once in every calendar year the accounts shall be examined and audited by an auditor appointed by the Society in general meeting.

11. (1) The Society shall—

Registered office,

(a) establish and maintain in the Island of Guernsey a registered office at which all instruments for service upon it shall be served;

(b) give written notice of the situation of the registered office and of any change thereof to Her Majesty's Greffier within seven days of the establishment or change, as the case may be.

12. In this Law, unless the context otherwise requires— Interpretation.

“Committee” has the meaning given by section 3(1)(c);

“events” means shows, competitions, exhibitions, lectures, entertainments, debates, displays and other events of public interest;

“former society” has the meaning given by section 1(1);

“incorporation” means the incorporation under section 1(1) of the former society;

“property” includes real and personal property;

“Society” has the meaning given by section 1(1).

Citation. 13. This Law may be cited as The Guernsey Southern Agricultural and Horticultural Society (Incorporation) (Guernsey) Law, 1989.

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