

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of November, 1955, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :— Sir John Leale, Arthur Falla, Walter John Sarre, William Robert Freake Clark, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx, Stephen James Falla, Esquires, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez and Bertram Guy Blampied, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 28th day of October, 1955, ratifying a *Projet de Loi* entitled "The National Service (Guernsey) (Amendment) Law, 1955",—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller 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 28th day of October, 1955.

PRESENT,

The Queen's Most Excellent Majesty,

LORD PRESIDENT
MR. PEAKE
MR. THORNEYCROFT
MR. HOPKINSON

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 13th day of September, 1955, 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 Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 1st day of June, 1955, the States of Deliberation at a meeting held on the 13th day of July, 1955, approved a Bill or “Projet de Loi” entitled “The National Service (Guernsey) (Amendment) Law, 1955” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.

2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The National Service (Guernsey)

(Amendment) Law, 1955” and to order that the same shall have the force of Law in the Islands of Guernsey, Herm and Jethou.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet 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 prayer of the said Petition and to approve of and ratify the said Projet 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 Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Herm and Jethou.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is 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.

W. G. AGNEW.

LAW NOT YET IN FORCE

**Projet de Loi referred to in the foregoing
Order in Council.**

PROJET DE LOI

ENTITLED

**The National Service (Guernsey)
(Amendment) Law, 1955.**

THE STATES, in pursuance of their Resolution of the 1st day of June, 1955, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

1. (1) Where a person has attained the upper age-limit for liability to national service, but had not attained it before the date of the coming into force of this Law, and either—

Application
of Law.

(a) he was immediately before he attained it subject to registration, or

(b) he was then not subject to registration by reason only of his not being ordinarily resident in Guernsey, but had previously been ordinarily resident therein at some time after attaining the age of seventeen years and eight months,

then if during the year ending with his attaining the said upper age-limit he was absent from Guernsey for a period of not less than twenty-eight days, or for periods which in the aggregate amounted to not

less than twenty-eight days, this Law shall, subject as hereinafter provided, apply to him.

(2) This Law shall not apply—

- (a) to a person who since attaining the upper age-limit for liability to national service has become a person of any of the descriptions specified in the First Schedule to the principal Law (which specifies certain classes of persons not liable to be called up for service);
- (b) to a person who, under the provisions of any enactment in force in any part of Her Majesty's dominions outside Great Britain, the Channel Islands and the Isle of Man, is a national or citizen of that part within the meaning of that enactment, or is domiciled in any such part of Her Majesty's dominions or in a British protectorate, a mandated territory, a trust territory or any other country or territory being a country or territory under Her Majesty's protection or suzerainty;
- (c) to a person liable to be called upon to serve by virtue of section seventeen of the principal Law (which imposes a liability to complete interrupted service).

Power of
Committee
to extend
upper age-
limit of
liability.

2. (1) The Committee may cause a notice under section four of the principal Law (which relates to medical examination) to be served on a person to whom this Law applies who has not attained the age of thirty-six years, notwithstanding his not being subject to registration; and if such a notice is served the principal Law shall thereafter apply in his case—

- (a) as if for references to the upper age-limit for liability to national service there were sub-

stituted references to the age of thirty-six years;

- (b) as if so much of that Law as makes it a condition of being liable to be called up for service that a person is ordinarily resident in Guernsey were omitted.

(2) A notice served by virtue of the last foregoing subsection shall be accompanied by a document stating that it is served by virtue of this Law and containing such information as appears to the Committee expedient for informing the person on whom it is served of the effect of this Law.

3. Any expenses incurred in the administration of this Law shall be defrayed out of moneys provided by the States. Expenses.

4. In this Law—

“the principal Law” means the National Service (Guernsey) Law, 1954; Interpretation.

“the upper age-limit for liability to national service” means the age of twenty-six years, except that where under the provisions of the National Service (Guernsey) Law, 1954, relating to medical practitioners and dentists, or to postponement certificates, a later age is substituted for the age of twenty-six years the said expression means that later age;

and other expressions used in the principal Law and this Law have the same meaning in this Law as they have in the principal Law.

5. This Law shall come into force on the day which shall be fixed by Ordinance of the States under the provisions of section forty-three of the principal Commencement.

Law as the day on which the principal Law shall come into force.

Short title
and
Citation.

6. This Law may be cited as the National Service (Guernsey) (Amendment) Law, 1955, and the National Service (Guernsey) Law, 1954, and this Law may be cited together as the National Service (Guernsey) Laws, 1954 and 1955.

JAMES E. LE PAGE,

Her Majesty's Greffier.

LAW NOT YET IN FORCE