

ORDER IN COUNCIL

XI
1948

ratifying a Projet de Loi

ENTITLED

The Reform (Guernsey) Law, 1948

(Registered on the Records of the Island of Guernsey
on the 28th day of August, 1948.)



1972.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 28th day of August, 1948, before Quartier Le Pelley, Esquire, Lieutenant Bailiff; Present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, Knight, James Frederick Carey, Arthur Falla, Pierre de Putron, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freaque Clarke, Walter John Gavey and Ernest Francis Lainé, Esquires, Jurats.

The Lieutenant-Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 5th day of August, 1948, ratifying a *Projet de Loi* entitled "The Reform (Guernsey) Law, 1948", the Court, after the reading of the said Order in Council and after having heard His Majesty's Comptroller, 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 5th day of August, 1948.

PRESENT,

The King's Most Excellent Majesty

LORD PRESIDENT.

VISCOUNT HALL.

MR. CHANCELLOR OF THE EXCHEQUER.

MR. KEY.

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 29th day of July, 1948, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That the States of Deliberation, by Resolution dated the 23rd day of January, 1946, adopted certain proposals relating to the Reform of the States of Guernsey, which Resolutions were transmitted in order that the pleasure of Your Majesty might be ascertained on the reforms therein envisaged: 2. That by an Order of Your Majesty in Council dated the 4th day of June, 1946, Your Majesty did appoint a Committee of Your Majesty's Privy Council to inquire (inter alia) into the proposed reforms in the constitution and procedure of the States of Guernsey and that Committee visited Guernsey from the 21st September, 1946, to the 29th September, 1946, and reported to Your Majesty in March, 1947: 3. That the States of Deliberation, at meetings held on the 25th day of

June, 1947, and the 17th day of September, 1947, respectively, adopted, with certain minor amendments, the recommendations with regard to the States of Guernsey contained in the above report: 4. That, in pursuance of the above Resolutions, the States of Deliberation, at a meeting held on the 16th day of June, 1948, approved a Bill or "Projet de Loi" entitled "The Reform (Guernsey) Law, 1948" and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 5. 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 Reform (Guernsey) Law, 1948", and to order and direct that the same shall have 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."

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of His 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 HIS 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 His 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.

E. C. E. Leadbitter.

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

PROJET DE LOI

ENTITLED

“The Reform (Guernsey) Law, 1948.”

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou:—

ARRANGEMENT OF ARTICLES.

PART I.

The States of Deliberation.

Article.

1. Constitution.
2. Member elected to more than one office.
3. Quorum.

PART II.

The States of Election.

Article.

4. Constitution.
5. Functions of the States of Election.
6. Quorum.

PART III.

General. States of Deliberation and of Election.

Article.

7. Procedure.
8. Eligibility as Conseiller or People's Deputy.

Article.

9. Nomination of Jurat, Conseiller or His Majesty's Sheriff.
10. Election of Conseillers.
11. Member voting in election at which he is a candidate.
12. Casual vacancies for office of Conseiller.
13. Term of office of a person filling a casual vacancy in the office of Conseiller.
14. Election of ten Douzaine Representatives to the States of Deliberation.
15. Douzaine Representatives in the States of Election.
16. Duty of a Douzaine Representative.
17. Resignation of Conseillers, People's Deputies or Douzaine Representatives.
18. Membership of States Committees.
19. Oath of Office and Allegiance.
20. Validity of acts done by unqualified persons.
21. Review in ten years.
22. Duties of H.M. Greffier, H.M. Sheriff and H.M. Sergeant.
23. Abolition of Cantonal Douzaines.
24. Interpretation.

PART IV.

*Election of People's Deputies.**Article.*

25. Compilation of Electoral Roll by Registrar-General.
26. Division of the Electoral Roll, and definition of the Electoral Districts.
27. Persons entitled to vote.
28. Persons not to vote unless inscribed on the Electoral Roll. Penalties for plural voting.
29. Holding of Elections.

Article.

30. Elections to be determined by Secret Ballot Law.
31. Procedure in case of equality of votes.
32. Nominations.
33. Number of candidates not exceeding number of seats vacant.
34. Compilation, publication and correction of Electoral Roll.
35. Copies of Electoral Roll to be kept at Greffe and States Office.
36. Candidates permitted to procure copies of relevant section of Electoral Roll.
37. Returning Officers.
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43. Persons physically incapable of recording a vote.
44. Expenditure by candidates.
45. Return of expenditure by candidates.
46. Obligation of secrecy.
47. List of Electoral Districts and allocation of Deputies.
48. Herm and Jethou deemed part of St. Peter Port.
49. Interpretation.

PART V.

*Election of Constables and Douzeniers.**Article.*

50. Application of Law to election of Constables and Douzeniers.
51. Eligibility for office.

Article.

52. Persons entitled to vote.
53. Application of Part IV of this Law.
54. Responsibility for conduct of Elections.
55. Notice of Elections.
56. Duty of Registrar-General to supply Roll.
57. Nominations.
58. Number of candidates not exceeding vacancies.
59. Contested Election.
60. Polling Stations.
61. Oath of office.
62. Interpretation.

PART VI.

*Transfer to the States of Deliberation of Functions
of a legislative nature hitherto exercised by the
Royal Court.*

Article.

63. Date and extent of transfer.
64. Saving of Court's power to make Defence Regulations and Rules of Procedure.
65. The States Legislation Committee.
66. Functions of the Committee.
67. Approval of subordinate legislation by Committee and States in lieu of Royal Court.
68. New style of Ordinances.
69. Making of Orders under Defence Regulations.
70. Permanent and Provisional Ordinances existing at Chief Pleas after Christmas, 1948.
71. Power of Committee to repeal or vary Ordinances.

PART VII.

*Miscellaneous and Repeals.**Article.*

72. Number of votes restricted to number of vacancies.
73. Disqualification of Advocates for the office of Constable.
74. Limitation of the application of the Secret Ballot Laws.
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SCHEDULES

First Schedule. Allocation of Deputies between the Electoral Districts.

Second Schedule. Repeals.

PART I.

*The States of Deliberation.*Constitu-
tion.

1. (1) On and after the 1st day of January, 1949, the States of Deliberation shall be composed as follows:—

- (a) The Bailiff.
- (b) Twelve Conseillers.
- (c) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (d) Thirty-three People's Deputies.
- (e) Ten Douzaine Representatives.

(2) The Bailiff shall be ex-officio President of the States of Deliberation and shall from time to time nominate in writing one or more Members to perform the duties of Acting President in his absence or during a vacancy of his office, and may at any time in writing revoke such nominations or any of them. The Member who is at the time senior in order of appointment shall perform the duties of Acting President, unless such senior Member shall for any reason decline to act, whether generally or in relation to any particular matter, in which case the Member next senior in order of appointment shall act either generally or in the particular matter, as the case may be, and with the like power of declining to act, and so in turn until the Member junior in order of appointment shall have been reached, who shall be bound to act.

(3) In case of a vacancy in the office of Bailiff, the nominations of the former holder of that office shall remain in force under the conditions set out in the last preceding paragraph until such time as the next succeeding holder of that office shall have made his nominations, whereupon the former nominations shall cease to be valid.

(4) The Acting President shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the President.

(5) (a) The President, or the Acting President, as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote.

(b) The Members, other than the President or the Acting President, as the case may be, His Majesty's Procureur and His Majesty's Comptroller, shall each have one vote.

2. A People's Deputy on being elected to the office of Conseiller or Douzaine Representative and a Douzaine Representative on being elected to the office of Conseiller or of People's Deputy, shall vacate his office of People's Deputy or Douzaine Representative, as the case may be, but a Jurat or a Douzenier shall not be required to vacate his office on being elected as Conseiller or as People's Deputy nor shall a Conseiller or People's Deputy be required to vacate his office on being elected as Jurat or Douzenier.

Member
elected to
more than
one office.

3. (1) Subject to the provisions of paragraphs (2) and (3) of this Article the President or acting President, as the case may be, and twenty Members shall form a Quorum of the States of Deliberation.

Quorum.

(2) When the number of voting Members present, not counting the President or Acting President, is thirty or less a resolution or amendment shall not be declared carried or lost unless at least twenty Members vote and the majority vote is at least twice as great as the minority vote.

(3) A resolution or an amendment in respect of which the vote has been ineffective by reason of the provisions of the last preceding paragraph, shall, so soon as possible, be brought before the States by the President on a subsequent day, whereupon, notwithstanding that there shall not then be present more than thirty voting Members and the President or Acting President, such resolution or amendment shall be declared carried or lost by a simple majority.

PART II.

The States of Election.

Constitu-
tion.

4. (1) During the period from the 1st day of October, 1948, to the 31st day of December, 1948, both dates inclusive, the States of Election shall be composed as follows:—

- (a) The Bailiff.
- (b) The twelve Jurats (Jurés-Justiciers).
- (c) The ten Rectors.
- (d) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (e) Thirty-four Douzaine Representatives.
- (f) The eighteen People's Deputies.

(2) On and after the 1st day of January, 1949, the States of Election shall be composed as follows:—

- (a) The Bailiff.
- (b) The twelve Jurats (Jurés-Justiciers).
- (c) Twelve Conseillers.
- (d) The ten Rectors.
- (e) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (f) Thirty-three People's Deputies.
- (g) Thirty-four Douzaine Representatives.

(3) The Bailiff shall be ex-officio President of the States of Election and his powers and duties as such

in relation to the nomination of Acting Presidents, and the duration of the validity of such nominations shall be in all respects similar to his powers and duties in relation to such nominations in respect of the States of Deliberation as provided in paragraphs (2) and (3) of Article I of this Law.

(4) The Acting President shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the President.

(5) (a) The President, or the Acting President, as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote, which shall be exercisable by private intimation to the Scrutineers appointed by the assembly.

(b) The other Members may each vote in one capacity only.

5. (1) The functions of the States of Election shall be to elect persons to the offices of Jurat, Conseiller and His Majesty's Sheriff. Functions of the States of Election.

(2) Election to the offices of Jurat, Conseiller and His Majesty's Sheriff shall be conducted in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot, save that the following special provisions shall apply to an election for either of the offices of Jurat or His Majesty's Sheriff—

(a) in case there shall not be more candidates than vacant offices, an election shall be held at which the votes shall be given openly and by word of mouth; and

- (b) no candidate shall be declared elected unless he has polled more than one half of the total number of votes cast.

Quorum.

6. (1) A Quorum of the States of Election shall be the President or Acting President, as the case may be, and at least sixty other Members, save that for any meeting held after the 30th day of September, 1948, and before the 1st day of January, 1949, the President or Acting President and fifty other Members shall form a Quorum.

(2) In case at any meeting there shall not be a Quorum present, the President or Acting President, as the case may be, may convene a fresh meeting by publishing in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, a notice stating that at the meeting previously convened there was not a Quorum of Members present, and fixing a date for a fresh meeting, which meeting shall thereupon be lawfully convened for that date.

PART III.

GENERAL.

States of Deliberation and of Election.

Procedure.

7. (1) The States of Deliberation may by Resolution decide the Rules of Procedure to be applicable from time to time in and in relation to assemblies of the States of Deliberation or of the States of Election, and may likewise at any time vary, revoke or suspend such Rules or any of them.

(2) Subject as aforesaid, the Rules of Procedure, not being inconsistent with any of the provisions of this Law, which are applicable in or in relation to either assembly on the 31st day of December, 1948,

whether by Law or Custom or by Resolution of the States of Deliberation, shall continue to be applicable thereafter.

(3) The States of Deliberation are hereby empowered, after the date last mentioned, to repeal by Resolution with effect on such date or dates as shall be provided therein the provisions as to procedure in or in relation to either assembly of any Law, other than this Law, in force on the 31st day of December, 1948.

8. Any person of full age shall be eligible to hold the office of Conseiller or of People's Deputy provided that—

Eligibility as
Conseiller
or People's
Deputy.

- (a) he be a British Subject;
- (b) he be not subject to any legal disability, as that expression is defined in Part IV of this Law;
- (c) in the case of the office of Conseiller, he shall have had his ordinary place of residence in this Island for the twelve months immediately prior to the date of his nomination as a candidate for that office;
- (d) in the case of the office of a People's Deputy, he shall have had his ordinary place of residence in this island for the three years immediately prior to the date of his nomination as a candidate for that office:

PROVIDED that so much of Section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945, as provides what shall constitute fulfilment by a candidate at any election held in the calendar year 1948 of a People's Deputy or People's Deputies of such qualification

with regard to residence in this Island as is required by the "Loi supplémentaire à la Loi relative à la Réforme des Etats de Délibération" registered on the Records of this Island on the 30th day of October, 1920, as subsequently amended, (hereinafter in this proviso referred to as "the Law of 1920") shall apply in the case of a candidate for the office of People's Deputy at the General Election to be held during the month of December, 1948, and at any election for that office as, under the provisions of Part IV of this Law, may be deemed to have been held on the date of that General Election as though in that Section for the reference to the law of 1920 there were substituted a reference to this Law.

Nomina-
tion of
Jurat, Con-
seiller or
His
Majesty's
Sheriff.

9. (1) Every candidate for the office of Jurat, Conseiller or His Majesty's Sheriff shall be nominated in writing by a Member of the States of Election or by a Douzenier and such nomination shall be seconded in writing by another such Member or Douzenier. Such nomination, duly seconded, shall be submitted to the President of the States of Election not less than fifteen days before the date fixed for the election, and shall be accompanied by a certificate in writing, signed by the candidate, stating his willingness to serve in the office if elected and, in the case of a Conseiller, certifying that he is eligible under the provisions of this Law to hold that office.

(2) Nominations for the office of Conseiller shall be published by the President of the States of Election before the election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

10. (1) Elections to the office of Conseiller shall be held triennially on such date in the month of November as the President may appoint. The first of such Elections shall be held in the month of November, 1948. Election of
Conseillers.

(2) Conseillers shall hold office for a period of six years, save that, in the case of those elected at the first election to be held under the provisions of this Law, six of them shall hold office for a period of three years only, that is to say—

(a) if the number of candidates is greater than the number of seats vacant, the six elected Conseillers who receive the smallest number of votes shall retire from office on the 31st day of December, 1951. In case of an equality of votes between any of the Conseillers elected, so that it is impossible under the provisions of this sub-paragraph to determine their respective dates of retirement, the question shall be determined by lot in such manner as the President shall decide;

(b) if the number of candidates is not greater than the number of seats vacant, the respective terms of office of the Conseillers declared elected shall be determined by lot in such manner as the President shall decide.

(3) If at any election to the office of Conseiller the number of candidates is not greater than the number of seats vacant, the President shall, after the time fixed for nomination has elapsed, declare the candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

(4) A Conseiller shall be eligible for re-election.

Member voting in election at which he is a candidate.

11. Notwithstanding that at an election for the office of Conseiller a Member of the States of Election is himself a candidate therefor, such Member shall be entitled to vote in that election.

Casual vacancies for office of Conseiller.

12. A casual vacancy in the office of Conseiller shall be filled, subject, in case there shall not be a greater number of candidates than there are vacancies, to the provisions of paragraph (3) of Article 10 of this Law, by election of the States of Election on such day as the President of the States of Election shall appoint, save that if such vacancy occurs in the year of a triennial election to that office and after the 1st day of June in that year but before such election, and the vacancy would fall to be filled at that election, it shall be in the discretion of the President whether such vacancy shall or shall not be filled pending the triennial election.

Term of office of a person filling a casual vacancy in the office of Conseiller.

13. A person elected to fill a casual vacancy in the office of Conseiller shall hold office until the date upon which the person in whose place he was elected would normally have retired, and shall then retire.

Election of ten Douzaine Representatives to the States of Deliberation.

14. (1) The Douzaine of each Parish shall in September, 1948, and in December of every subsequent year elect (by Secret Ballot if there be more than one candidate) one Douzaine Representative from that Douzaine, who shall sit as a Member of the States of Deliberation throughout the following calendar year.

(2) Every such Douzaine Representative shall be eligible for re-election.

(3) The Constables of each Parish shall forthwith inform the President of the States in writing of the result of each such election in their Parish.

15. (1) The Douzaine Representatives in the States of Election on and after the 1st day of October, 1948, shall consist of the ten Douzaine Representatives elected to the States of Deliberation as in Article 14 of this Law provided, and twenty-four additional Douzaine Representatives elected for each meeting of the States of Election by their respective Douzaines, as follows:—

Douzaine
Representatives in the
States of
Election.

From the Parish of Saint Peter Port, twelve Douzeniers;

From the Parish of Saint Sampson, three Douzeniers;

From the Parish of the Vale, four Douzeniers;

From the Parish of the Castel, two Douzeniers;

From the Parish of Saint Martin, three Douzeniers.

(2) The ten Douzaine Representatives shall sit as Members of the States of Election, as regards those elected in September, 1948, for the period commencing on the 1st day of October, 1948, and ending on the 31st day of December, 1949, and as regards those subsequently elected, for the calendar year beginning on the 1st day of January following their election.

(3) On the issue of a Billet d'Etat convening a meeting of the States of Election, the Constables of each Parish in which it shall be requisite so to do for the purposes of this Article shall cause the Douzaine of that Parish to elect Douzaine Representatives, in accordance with the provisions of paragraph (1) thereof, and shall deliver a certificate to His Majesty's Greffier in writing under their hands

not later than three o'clock in the afternoon of the working day next preceding the date of the meeting of the States of Election, as to the Douzaine Representatives so elected.

Duty of a
Douzaine
Representative.

16. It shall be the duty of a Douzaine Representative to voice in the States of Deliberation the views of the Douzaine which he represents, but he shall not be bound, either in the States of Deliberation or in the States of Election, to vote in accordance with any direction or instruction given him by that Douzaine, and he shall be free on all occasions to cast his vote in accordance with his conscience.

Resignation of
Conseiller,
People's
Deputy or
Douzaine
Representative.

17. (1) A Conseiller, People's Deputy or Douzaine Representative may at any time resign his office, provided that—

- (a) he shall inform the President of the States in writing under his hand of his desire so to do; and
- (b) his resignation shall not take effect until it has been accepted by the States of Deliberation.

(2) If it shall appear to the Royal Court on petition brought by the Law Officers of the Crown or either of them that a Conseiller or a People's Deputy—

- (a) did not at the time of his election possess the qualifications required by the provisions of Article 8 of this Law, or has, subsequently to such election, ceased to possess either of the first two qualifications required by that Article: or
- (b) has not, whether by reason of illness, absence or otherwise, for twelve consec-

utive months, fulfilled the duties of his office;

the Court shall so declare, and thereupon the office of such Conseiller or People's Deputy shall be vacated.

(3) A copy of any such petition shall be served by His Majesty's Sergeant at the residence in this Island of such Conseiller or People's Deputy, with a written notice stating the date of the hearing, unless such Conseiller or People's Deputy is under a legal disability or has no residence in this Island, in either of which cases the Law Officers of the Crown or either of them shall, in lieu of causing such service to be effected, cause to be inserted in the "Gazette Officielle" appearing in the week preceding the date of the hearing a notice stating that the petition will be brought, the date of the hearing thereof and the reasons for its being brought.

18. Save as may hereafter be specifically provided by Resolution of the States, in all cases in which the President or any Member of any Committee (however described) of the States is required by enactment or by resolution of the States to be a Member of the States, Jurats, Rectors and Douzeniers who at the commencement of this Law are serving on any such Committee may continue in office on that committee and may be re-elected thereto, and Jurats, Rectors or Douzeniers may be elected to any such committee notwithstanding that they are not Members of the States.

Member-
ship of
States Com-
mittees.

19. Every Member of the States of Deliberation shall before entering office take before the Royal Court an oath of office in the form appropriate to such office, and the oath of allegiance.

Oath of
Office and
Allegiance.

Validity of
acts done by
unqualified
persons.

20. The acts and proceedings of any person elected to the States of Deliberation or of Election and having acted as a Member thereof shall, notwithstanding his disqualification or want of qualification, be deemed to have been as valid and effectual as if he had been qualified to be a Member thereof.

Review in
ten years.

21. Within a period of not more than ten years from the 1st day of January, 1949, the States of Deliberation shall determine whether it is possible to provide that a person holding the office of Jurat shall not be a member of the States of Deliberation without unduly depriving the States or the Royal Court of the services of experienced persons.

Duties of
H.M.
Greffier,
H.M. Sheriff
and H.M.
Sergeant.

22. (1) His Majesty's Greffier shall be Clerk and Registrar to the States of Deliberation and of Election and shall when so directed by the States of Deliberation act in the like capacity to any Committee of that assembly.

(2) His Majesty's Sheriff and his Majesty's Sergeant shall be officers of the States of Deliberation and of Election and shall obey the directions of the President of either assembly in the fulfilment of any ministerial functions required to be exercised by them for or on behalf of either assembly.

Abolition of
Cantonal
Douzaines.

23. On and after the 30th day of September, 1948, the members of the four Cantonal Douzaines of the Parish of Saint Peter Port shall cease to be eligible as Members of the States of Election, and on and after the 31st day of December, 1948, those Douzaines shall cease to exist.

Interpreta-
tion.

24. In Parts I and II and in this Part of this Law the expressions "Douzenier" and "Douzaine Representative" shall include a Constable of a Parish.

PART IV.

Election of People's Deputies.

25. (1) The Electoral Roll of this Island shall be compiled by the Registrar-General from the National Register.

Compila-
tion of
Electoral
Roll by
Registrar-
General.

(2) There shall be shown on the Electoral Roll in respect of every voter his surname, first Christian name and full postal address, as the same appear in the National Register.

26. (1) The Electoral Roll shall be divided into ten sections, whereof each shall represent one of the Electoral Districts.

Division of
the Electora
Roll, and
definition of
the Electora
Districts.

(2) Each Parish shall constitute an Electoral District (hereinafter referred to as "a District").

(3) In each of the Districts, polling stations shall be established by the Constables of the Parishes concerned in accordance with any Resolution of the States for the time being in force in that behalf and the Constables of a Parish may provide for the establishment of such additional polling stations therein as they may deem convenient to the electorate.

27 (1) Any person of full age shall have the right to be inscribed on the Electoral Roll compiled in any calendar year provided that such person—

Persons
entitled
to vote.

- (a) be a British subject;
- (b) shall have had his ordinary place of residence in this Island since the 1st day of January in that calendar year; and
- (c) be not subject to any legal disability.

(2) Any person whose name is inscribed on the section of the Electoral Roll for a District may vote

at any polling station in that District and, on attending to record his vote, shall, in any District where there is more than one polling station, present his National Registration Identity Card to the person in charge of that polling station, who shall mark that Card with such stamp as shall have been furnished to him by the Registrar-General with the approval of the States Board of Administration for that purpose.

Persons not to vote unless inscribed on the Electoral Roll. Penalties for plural voting.

28. (1) A person shall not vote at any election unless his name is inscribed on the Electoral Roll and a person shall vote only in the District in respect of which his name appears on the Electoral Roll. and having once voted at any election he shall not thereafter vote or attempt or purport to vote in respect thereof but no such subsequent vote or attempted or purported vote shall invalidate the election in respect of which the same was or was attempted or purported to be given.

(2) Any person who fraudulently puts or attempts to put or causes to be put into any ballot box any paper other than the ballot paper which he is authorised to put therein shall be guilty of an offence and liable on conviction, in the case of a Constable, Douzenier, Returning Officer or Scrutineer, to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, and in the case of any other person, to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months.

Holding of Elections.

29. (1) General Elections for the office of People's Deputy shall be held in 1948 during the month of December and thereafter triennially during the month of December, save that if at any General Election there shall be no candidate or an insufficient

number of candidates for any District, an election to fill any vacancy not filled at that General Election shall be held in respect of that District at such time, not being more than three months after the date of that General Election, as shall be appointed by Ordinance, and any candidate elected thereat shall retire from office on the date on which he would have so retired had he been elected at the General Election.

(2) On the death or retirement of a Deputy at any time within two years and seven months of the date of the preceding General Election, an election shall be held to fill the office so vacated for the remainder of the three-year term then current. Should a vacancy so occur within the last five months of such term it shall be in the discretion of the President of the States whether or not an election shall be held to fill the vacated office until the date of the next General Election.

(3) The date for the holding of any election shall be appointed by Ordinance.

30. Elections shall be held in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot.

Elections to be determined by Secret Ballot Law.

31. Where at an election two or more candidates secure an equal number of votes and the addition of one vote to his poll would have entitled any such candidate to be declared elected, a further election shall be held, as soon as conveniently may be, in respect of such candidates only, which further election shall for the purposes of the term of office of any successful candidate be deemed to have been held on the date of the original election.

Procedure in case of an equality of votes.

**Nomina-
tions.**

32. (1) Every nomination of a candidate for office as a People's Deputy shall be in writing signed by two persons whose names are inscribed on the section of the Electoral Roll representing the District for which the candidate intends to stand, and shall be delivered to the President of the States not less than fifteen days before the date fixed for the holding of the election.

(2) Every such nomination shall be accompanied by a declaration in writing signed by the candidate declaring that he is eligible under the provisions of this Law to hold the office of People's Deputy.

(3) A person may not stand as a candidate for more than one District at the same election.

**Number of
candidates
not exceed-
ing number
of seats
vacant.**

33. At any election where the number of candidates is not greater than the number of seats vacant for that District, the President of the States shall, after the time fixed for the delivery of nominations has elapsed, declare such candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

**Compila-
tion, pub-
lication and
correction of
Electoral
Roll.**

34. (1) The Registrar-General shall, by the 10th day of October in each calendar year, compile an Electoral Roll containing the names of all persons entitled on the 1st day of September in that year to have their names inscribed thereon.

(2) Each section of the Electoral Roll shall contain the names and addresses of the persons shown in the National Register as residing in the District to which that section relates on the 1st day of September then last past, being persons entitled to have their names inscribed on the Electoral Roll.

(3) From the 11th day of October to the 17th day of October, both dates inclusive, in each year, the section of the Electoral Roll in respect of each District shall be published for inspection at such suitable place in that District, during such five hours on each working day other than Thursday, and during such three hours on Thursday, as shall be prescribed by the Registrar-General after consultation with the Constables of the Parish constituting that District.

(4) The Registrar-General shall give previous notice by an announcement in the "Gazette Officielle" of the dates, times and places on, during and at which the Electoral Roll will be available for inspection as in this Article provided.

(5) Any person claiming in any calendar year that, on the 1st day of September of that year, he was entitled to have his name inscribed on any section of the Electoral Roll and that it is omitted from that section or that some material error in his name or address appears in that section may, not later than the third working day after the close of the period during which the Electoral Roll is available for inspection, deliver to the Registrar-General an application in writing to have his name and address inscribed on that section or for the rectification of the error alleged. The Registrar-General shall, if he be satisfied of the existence of an omission or error, forthwith amend the Electoral Roll.

(6) The section of the Electoral Roll, compiled, published and amended in any calendar year as in this Article provided, representing each District shall constitute the Electoral Roll of that District during the period beginning on the 1st day of December in that calendar year and ending on the 30th day of November in the succeeding calendar

year, and shall determine whether or not a person is entitled to vote in that District during that period at an election for any of the offices of People's Deputy, Constable or Douzenier, and at any election a copy of the appropriate section shall be furnished free of charge by the Registrar-General to the Returning Officer of each District for each polling station in that District, and the Returning Officer shall ensure that a copy is available at each polling station in his District.

Copies of Electoral Roll to be kept at Greffe and States Office.

35. A copy of the Electoral Roll shall be kept at the Greffe and at the States Office, and shall be available during their respective normal office hours for inspection by the public.

Candidates permitted to procure copies of relevant section of Electoral Roll.

36. At any election each candidate shall be entitled during the three weeks immediately prior to the date fixed therefor to procure from the Greffe not more than five copies of the section of the Electoral Roll concerning the District for which he is a candidate on payment to the Greffe of the sum of two shillings and sixpence for each such copy.

Returning Officers.

37. At every election the Royal Court, on the application of one of the Law Officers of the Crown, shall appoint a Returning Officer for each District concerned, who shall appoint such Scrutineers to assist him in the counting of votes and otherwise as he may deem necessary. Every Returning Officer shall on his appointment be sworn as such before the Royal Court.

Supervision of Ballot.

38. The Constables and Douzaines shall supervise the conduct of the ballot at the polling stations in their respective Parishes, and in particular shall seal the ballot boxes on the conclusion of the voting, and shall hand the same to the Returning Officer for the

District, who shall thereupon cause the votes cast to be counted and shall forthwith communicate the result of such count to the President of the States and to every other Returning Officer. In each District in which an election has been held the Returning Officer shall cause the said result and the result of the voting in respect of every other District in which an election has then been held to be exhibited at each polling station in the District.

39. At every election the poll shall open at ten o'clock in the morning in the Parish of Saint Peter Port and at mid-day in the other Parishes and be kept open until eight o'clock in the evening of the same day and no longer.

Hours of
Polling.

40. On completion of the count as aforesaid each Returning Officer shall in respect of his District return the voting slips to the ballot boxes, re-seal the said boxes, keep them in safe custody and deliver them to His Majesty's Greffier on the following day, together with the keys thereof, the counterfoils of the voting slips, any unused voting slips and the lists of voters.

Duties on
completion
of Ballot.

41. If the total of the votes cast for any successful candidate does not exceed by more than two per centum of the total number of persons voting in the District concerned the total of the votes cast for any unsuccessful candidate, such unsuccessful candidate may, by notice in writing delivered to the President of the States not later than twenty-four hours after the public declaration of the poll by the Returning Officer, demand a recount, and such recount shall be carried out in the Royal Court building as soon as practicable thereafter by independent scrutineers appointed by the President of the States. The candidate demanding the recount and any other can-

Recount.

didate at that election for that District may be present during the recount, and such recount shall be final and conclusive as to the result of the poll in respect of that District. On completion of the recount, the scrutineers shall report the result of the same to the President of the States, who shall publish such result by causing a notice to be posted in the vestibule of the Royal Court.

Register to be kept of persons under disability.

42. Particulars of all persons of full age resident in the Island of Guernsey placed under or relieved from guardianship, or detained in any public institution or otherwise by reason of mental incapacity or released from such detention shall be furnished by His Majesty's Greffier or the States Board of Health, as the case may be, to the Registrar-General, who shall cause to be kept a register of persons so under guardianship or detained.

Persons physically incapable of recording vote.

43. Persons entitled to vote attending at any polling station who are physically incapable of recording their vote or who declare that they are unable to read may apply to the person in charge of that polling station, who shall thereupon cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper placed in the ballot box, and shall make a record in writing of his having done so, which record shall include the name and address of the incapacitated person and the cause of his incapacity, and shall be delivered to the Returning Officer.

Expenditure by candidates.

44. (1) Save as hereinafter provided no candidate in any election shall in respect of such election expend any sum of money or give any value in money's worth otherwise than in accordance with such provisions as shall, from time to time, be prescribed by Ordinance:

Save that nothing contained in this Article or in any Ordinance made hereunder, shall be deemed to affect the right of any candidate to purchase copies of the appropriate section of the Electoral Roll in accordance with Article 36 of this Law, and any moneys expended in such purchase may be expended in addition to the maximum permissible amounts so prescribed.

(2) Any candidate who contravenes, whether by himself or by his servant or agent, any of the provisions of this Article or of any Ordinance made thereunder, shall be guilty of an offence and shall be liable on conviction before the Royal Court to a fine not exceeding one hundred pounds and in addition to such fine shall, if a successful candidate, forfeit his seat:

PROVIDED ALWAYS that if it is shown to the satisfaction of the Court that such contravention arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, the Royal Court may make an order relieving the candidate from the consequences of such contravention.

45. (1) Every candidate at any election shall during the seven days next following the date of such election submit to the Returning Officer a return showing full particulars of all moneys or money's worth expended or given by him in respect of such election, and shall submit therewith vouchers supporting such disbursements and a declaration in writing signed by him that the particulars shown in such return are to the best of his knowledge and belief correct.

Return of
expen-
diture by
candidates.

(2) Any candidate who supplies any particulars which he knows or ought to have known to be false, or otherwise contravenes the requirements of paragraph (1) of this Article shall be guilty of an offence and, subject to the like proviso as is made to paragraph (2) of the last preceding Article, shall be liable on conviction to the same penalties as are in that paragraph specified.

Obligation
of secrecy.

46. (1) Every person appointed to be in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

(2) Every person who acts in contravention of the last preceding paragraph shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding six months.

List of
Electoral
Districts
and allo-
cation of
Deputies.

47. (1) Subject to the provisions of paragraph (2) of this Article, the Electoral Districts set out in the first column of the First Schedule to this Law shall return the number of Deputies shown in relation thereto respectively in the second column of that Schedule.

(2) The States of Deliberation may at any time by resolution vary, in accordance with the numbers of the respective populations of the Districts concerned, the allocation of the numbers of People's Deputies as between the said Districts so, however, that no District shall be wholly unrepresented.

Herm and
Jethou
deemed
part of
St. Peter
Port.

48. The Islands of Herm and Jethou shall be deemed for all the purposes of this Law to be part of the Parish of Saint Peter Port.

49. In this Part of this Law unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them:—

Interpreta-
tion.

“ Legal disability ” means certification as a person of unsound mind; subjection, in the case of a person of full age, to guardianship; being an inmate for reasons of mental illness of any hospital or other institution; or undergoing imprisonment for felony.

“ Election ” means election to the office of People’s Deputy.

“ Registrar-General ” means the Registrar-General of Electors, and the functions of that office shall be performed by the States Supervisor.

PART V.

Election of Constables and Douzeniers.

50. Notwithstanding any enactment or rule to the contrary, after the 30th day of November, 1948, every election to the office of Constable or Douzenier shall be governed by the provisions of this Part of this Law, but nothing therein contained shall affect the completion of the term of office of any Constable or Douzenier elected on or before the last mentioned date.

Application
of Law to
election of
Constables
and
Douzeniers.

51. Only those persons eligible for the office of People’s Deputy shall be eligible for the office of Constable or Douzenier, save that any such person shall, in order to be so eligible, be ordinarily resident in the Parish concerned at the date of his nomination and, if elected, shall hold office for so long only as he continues to reside therein.

Eligibility
for office.

Persons
entitled
to vote.

52. Only those persons whose names are inscribed on the section of the Electoral Roll relating to the Parish concerned shall be entitled to vote at an election.

Application
of Part IV
of this Law.

53. The provisions of Part IV of this Law shall, subject to the modifications in this Part of this Law contained, apply, so far as the same are applicable, to elections to the offices of Constable and Douzenier.

Responsi-
bility for
conduct of
Elections.

54. (1) In every Parish the Dean or, in his absence, the Vice-Dean, of the Douzaine shall be responsible for fixing the place of the electors' meeting in respect of any election for the office of Constable and the date and time on and at which such election shall be held, and shall be responsible for the conduct of such election, and the senior Constable or, in his absence, the junior Constable, shall have the like responsibilities in respect of any election for the office of Douzenier.

(2) The person so responsible as aforesaid shall be the Returning Officer for the election and shall preside at any meeting of electors.

(3) The Returning Officer may appoint such persons as he may deem necessary to assist him in the execution of his duties.

Notice of
Elections.

55. Notice of an election shall be given by the person responsible for the conduct thereof, not less than fourteen days in advance of the date fixed therefor, by an announcement in the "Gazette Officielle", of the date, time and place of the electors' meeting, which announcement shall also invite the submission of nominations, and a further announcement showing that date, time and place and containing particulars of the nominations received,

shall be made by publication in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, on each of the three days immediately preceding the election.

56. The Registrar-General shall supply to the Returning Officer for each election a copy of the section of the Electoral Roll relating to the Parish concerned.

Duty of Registrar-General to supply Roll.

57. Every nomination of a candidate for the office of Constable or Douzenier shall be in writing, signed by two persons whose names are inscribed on the section of the Electoral Roll representing the Parish concerned, and such nominations shall be delivered to the Returning Officer at least seven clear days before the date fixed for the election, and, in the case of an election for the office of Douzenier, shall be accompanied by a declaration in writing signed by the candidate and signifying his consent to be a candidate for that office.

Nominations.

58. At any election where the number of candidates is not greater than the number of offices vacant, the Returning Officer shall, at the electors' meeting, declare such candidate or candidates elected.

Number of candidates not exceeding vacancies.

59. At any election where the number of candidates is greater than the number of offices vacant the following procedure shall be adopted:—

Contested Election.

- (1) The Returning Officer shall, at the electors' meeting, read to the meeting the names of the candidates and of the persons who have signed the respective nominations, in the order in which those

nominations shall have been received by him, and shall ask the meeting to vote on the question whether or not they desire a secret ballot to be held. A secret ballot shall be held if not less than seven electors present demand it. The Returning Officer shall explain that a secret ballot may be demanded by not less than seven electors and that, if such a ballot be held, the formalities of a ballot for an election to the office of People's Deputy will, so far as the same are applicable, be observed in the holding thereof.

- (2) If a secret ballot be not demanded—
- (a) the Returning Officer shall cause a voting paper to be delivered to, and only to, every elector present, who shall record his vote by writing thereon the name of the candidate (or the names of the candidates if there be more than one vacancy to be filled) for whom he wishes to vote;
 - (b) the Returning Officer shall then cause the voting papers to be collected and the votes counted, and shall declare the result of the election to the meeting;
 - (c) the provisions of Part IV of this Law shall be applied as nearly as possible to a case of an equality of votes and to the right to demand a re-count;
 - (d) the Returning Officer shall be responsible for the safe custody of the voting papers after the same have been collected, and he shall destroy them after, but not before, the suc-

successful candidate has taken the oath of office.

- (3) If a secret ballot be demanded, a record of that fact shall be made by the Returning Officer, who shall thereupon declare the meeting closed. He shall then fix a date, not being less than eight days nor more than fifteen days after the date of the meeting, for the holding of an election at a place selected by the Douzaine and shall give notice of such date and place by means of an announcement in the "Gazette Officielle", and shall be responsible for the supply of ballot papers at the polling station. The ensuing election shall be held in the manner prescribed for elections for the office of People's Deputy.
- (4) The Returning Officer shall be responsible for the safe custody of the ballot papers, and shall destroy the same after, but not before, the successful candidate shall have taken the oath of office.

60. One polling station only shall be set up in any Parish. Polling stations.

61. After any election every successful candidate shall take an oath of office before the Royal Court at the instance of the Law Officers of the Crown or either of them, and after the taking of such oath the validity of the election shall not be further subject to question. Oath of office.

62. In this Part of this Law the following expressions shall unless the context otherwise requires, have the meanings hereby respectively assigned to them:— Interpretation.

“ Election ” shall mean an election to the office of Constable or Douzenier;

“ Registrar-General ” shall have the same meaning as in Part IV of this Law.

PART VI.

Transfer to the States of Deliberation of Functions of a legislative nature hitherto exercised by the Royal Court.

Date and
extent of
transfer.

63. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, subject to the provisions of this Part of this Law, the powers and functions of a legislative nature theretofore exercised by the Royal Court whether sitting as a Court of Chief Pleas or otherwise shall cease to be exercised by the Royal Court and those powers and functions shall thenceforth vest in and be exercised by the States of Deliberation (hereinafter in this Part of this Law referred to as “ the States ”) or by the States Legislation Committee in accordance with the provisions of this Part of this Law and every enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall thenceforth be construed as having conferred the like power on the States of Deliberation or on the States Legislation Committee, as may be appropriate under the provisions aforesaid, in the place and stead of the Royal Court and where under any enactment, whether commencing before or after the said date, power is conferred on the States to make any Ordinance, that enactment shall be construed as conferring power on the States Legislation Committee, within the limits of that Committee’s authority as defined in this Part of this Law, to make that Ordinance.

64. (1) Notwithstanding the provisions of the last preceding Article, powers and functions of a legislative nature as regards the following matters, namely:—

Saving of Court's power to make Defence Regulations and Rules of Procedure.

- (a) The making, variation, modification, revocation or continuation of Defence Regulations in force or to be in force within the Bailiwick of Guernsey or some part thereof; and
- (b) The making, variation, modification and revocation of Rules of Procedure in the Royal Court and any Division thereof and in any Court subordinate thereto;

shall continue as hitherto to vest in and be exercisable by the Royal Court.

(2) The Royal Court shall exercise such powers and functions by way of Orders to be styled "Orders of the Royal Court" and no such Order shall lapse, unless expressed so to do, by mere effluxion of time.

65. (1) There shall be set up by the States, as soon as may be after the 1st day of January, 1949, a States Standing Committee to be styled "The States Legislation Committee" (hereinafter in this Part of this Law referred to as "the Committee") consisting of the Bailiff, as President, and of seven other Members of the States elected by the States. The Committee shall elect a Vice-President from among its members who shall preside in the absence of the Bailiff or during a vacancy in the office of Bailiff.

The States Legislation Committee.

(2) The quorum of the Committee shall consist of the President or, in his absence, the Vice-President, and three other members.

(3) The President or the Vice-President, if presiding, shall have no original vote at the proceedings

of the Committee but shall have a casting vote in case of an equal division of votes between the members present.

(4) The members of the Committee, other than the Bailiff, shall retire at such times and in such manner as the States may by Resolution appoint, but shall be eligible for re-election.

(5) The States may by election fill any casual vacancy, and the person so elected shall hold office until the date upon which the person in whose place he was elected would normally have retired, and shall then retire, but shall be eligible for re-election.

Functions
of the
Committee.

66. The functions of the Committee shall be as follows:—

- (1) To review and revise every *Projet de Loi* presented to the Committee by a Law Officer of the Crown for the purpose of ensuring that the same is in accordance with and will effectually carry into effect any Resolution of the States designed to be implemented thereby and to transmit the same to the States for the consideration and for the decision (subject to the Sanction of His Most Excellent Majesty in Council) of the States.
- (2) To review and revise every draft Ordinance presented to the Committee by a Law Officer of the Crown at the instance of the States or of some Authority, Board, Committee or Council of the States and, subject to the provisions of the next succeeding paragraph, to transmit the same to the States for the consideration and decision of the States.

- (3) Where, in the case of any draft Ordinance so presented, the Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest, the Committee shall have power to order that the same shall be operative either immediately or upon such then future date as the Committee shall prescribe and thereupon the Ordinance shall have effect accordingly:

PROVIDED that every Ordinance coming into effect by virtue of this paragraph shall be laid before the States as soon as may be after the making thereof in such manner as the States may, by general resolution, from time to time direct and if, at the Meeting of the States in the course of which any Ordinance made by the Committee is laid before them or at the next subsequent Meeting, the States resolve that the Ordinance be annulled, the Ordinance shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Committee of any new Ordinance.

- (4) For the purpose of removing doubts, it is hereby declared that on an Ordinance ceasing to have effect by virtue of a Resolution of the States under the proviso to paragraph (3) of this Article, any other Ordinance which was modified or extended or repealed in whole or in part by the first-mentioned Ordinance shall thenceforth have effect, notwithstanding such modification, extension or repeal, as though such modification, extension or repeal had not been effected.

Approval of subordinate legislation by Committee and States in lieu of Royal Court.

67. Where in any enactment it is provided that rules, regulations or other subordinate legislation, however described, prepared by any Authority, Board, Committee or Council of the States shall only come into operation after having received the approval of the Royal Court, that enactment shall, instead, be deemed to provide that on and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, any such rules, regulations or other subordinate legislation as shall not have been approved by the Royal Court before that day shall only come into operation after having been reviewed by the Committee and after having received the approval of the States. Such approval shall be given by way of Ordinance.

New style of Ordinances.

68. Ordinances made by the States or by the Committee shall be styled "Ordinances of the States" and no such Ordinance, unless its period of operation be limited by express words or by operation of law, shall lapse merely by effluxion of time.

Making of Orders under Defence Regulations.

69. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, the Royal Court shall cease to be a Competent Authority under any Defence Regulation and the powers and functions theretofore vesting in the Royal Court as a Competent Authority under that Defence Regulation shall thenceforth for so long as that Defence Regulation continues in force vest in and be exercised by the Committee as a Competent Authority thereunder but without prejudice to anything previously done thereunder.

Permanent and Provisional Ordinances existing at Chief Pleas after Christmas, 1948.

70. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948. Ordinances of the Royal Court—

- (1) which, after receiving the approval of the States, have before that day been made Permanent Ordinances by the Royal Court and

are still in force. shall, until repealed, continue in force;

- (2) which by virtue of the provisions of any Order in Council are Permanent Ordinances and are still in force, shall, until repealed, continue in force;
- (3) made before that day which are Provisional Ordinances and are still in force, shall, unless previously repealed, continue in force as Provisional Ordinances until the 1st day of January, 1950, and shall thenceforth become Permanent Ordinances of the States:

PROVIDED that the Committee shall review all such Provisional Ordinances as are referred to in paragraph (3) of this Article and shall report to the States thereon and if, at any time during the calendar year 1949, the States resolve that any such Provisional Ordinance shall be annulled, the same shall cease to have effect as though it had been repealed but without prejudice to anything previously done thereunder.

71. The Committee, within the limits of the latter's authority and subject to the provisions of paragraph (4) of Article 66 of this Law, and the States shall have power, from time to time, to repeal, suspend, vary or modify any Ordinance made by the Royal Court (except in relation to any of the matters referred to in paragraph (1) of Article 64 of this Law) or by the States or by the Committee.

Power of
Committee
to repeal
or vary
Ordinances.

PART VII.

Miscellaneous and Repeals.

Number of votes restricted to number of vacancies.

72. No person shall vote or purport to vote at any election for a greater number of candidates than there are seats vacant, and any vote cast or purported to be cast in contravention of this Article shall be void.

Disqualification of Advocates for the office of Constable.

73. An Advocate of the Royal Court may not hold the office of Constable of a Parish.

Limitation of the application of the Secret Ballot Laws.

74. Where any provision of any law relating to Secret Ballot (Scrutin Secret) conflicts with any of the provisions of this Law, then, unless that law specifically provides to the contrary, the provisions of this Law shall prevail.

Saving of powers for existing States of Deliberation and Election.

75. Notwithstanding anything in this Law contained, the powers and duties of the States of Deliberation and of Election respectively shall be exercised and performed, in the case of the States of Deliberation, until the 31st day of December, 1948, and, in the case of the States of Election, until the 30th day of September, 1948, by the States of Deliberation and of Election respectively, as the same were respectively constituted immediately prior to the date of the registration of this Law on the Records of this Island.

Repeals.

76. The enactments set out in the first column of the Second Schedule to this Law shall be repealed to the extent and on the dates indicated in the second and third columns respectively of that Schedule.

Saving.

77. The repeal of Section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945,

shall not affect the continuance of the qualification for office in respect of residence of any People's Deputy elected or deemed to have been elected at the General Election to be held during the month of December, 1948.

FIRST SCHEDULE Article 47 (1)

ALLOCATION OF DEPUTIES BETWEEN THE ELECTORAL DISTRICTS.

<i>Electoral District.</i>	<i>Number of Deputies.</i>
Parish of Saint Peter Port	13
Parish of Saint Sampson	4
Parish of the Vale	5
Parish of the Castel	3
Parish of Saint Saviour	1
Parish of Saint Peter-in-the-Wood ...	1
Parish of Torteval	1
Parish of the Forest	1
Parish of Saint Martin	3
Parish of Saint Andrew	1

SECOND SCHEDULE

Article 76

REPEALS.

<i>Law.</i>	<i>Extent of Repeal.</i>	<i>Date of Repeal.</i>
Réforme des Etats, registered on the Records on 27th December, 1844.	Articles 1, 2, 3, 4 and 5.	On date of registration of this Law.
Articles 6, 7 and 14.		So far as the same concern the States of Election, on the 30th September, 1948, and, so far as they concern the States of Deliberation, on the 31st December, 1948.
Articles 8, 9, 10, 11 and 12.		On the 31st December, 1948.
Articles 15 and 16.		On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.
Article 17.		On the 30th September, 1948.
De l'Eligibilité des Douzeniers de Canton à la Charge de Douzenier de Paroisse, registered on the Records on 2nd August, 1851.	Article 5.	On date of registration of this Law.
Articles Supplémentaires à la Loi de 1844 qui Règle la Constitution des Etats, registered on the Records on 25th June, 1853.	Article 1.	So far as the same concerns the States of Election, on the 30th September, 1948, and, so far as it concerns the States of Deliberation, on the 31st December, 1948.
	Articles 2, 3, 4 and 5.	On date of registration of this Law.

<i>Law.</i>	<i>Extent of Repeal.</i>	<i>Date of Repeal.</i>
Constitution des Etats. Articles Supplémentaires à la Loi de 1844, registered on the Records on 6th August, 1864.	The Whole Law.	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.
Loi relative à la Réforme des Etats de Délibération, registered on the Records on 26th August, 1899.	Articles II, VIII, IX and X.	On the 31st December, 1948.
Loi relative à la Douzaine de la Ville et Paroisse de Saint Pierre Port, registered on the Records on 13th October, 1900.	The Whole Law.	On date of registration of this Law.
Loi relative aux Etats d'Election, registered on the Records on 29th June, 1901.	The Whole Law.	On the 30th September, 1948.
Loi Supplémentaire à la Loi réglant la Constitution des Etats (1844), registered on the Records on 8th June, 1915.	The Whole Law.	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.
Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, registered on the Records on 30th October, 1920.	Articles I and V.	On the 31st December, 1948.
	Articles VIII, X, XI, XIII and XVI.	On the 30th September, 1948.
	Articles XIV, XV, XVII and XVIII.	On date of registration of this Law.
Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1923.	The Whole Law.	On the 30th September, 1948.

<i>Law.</i>	<i>Extent of Repeal.</i>	<i>Date of Repeal.</i>
Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1938.	The Whole Law.	On the 31st December, 1948.
Loi Supplémentaire relative à la Réforme des Etats (No. 2), 1938.	The Whole Law.	On the 30th September, 1948.
Loi relative à la Réforme des Etats, 1939.	The Whole Law.	On the 30th September, 1948.
Loi provisoire supplémentaire à la Loi relative à la Réforme des Etats (No. 2, 1940).	Articles 1, 2 and 4. Article 3.	On the 31st December, 1948. On date of registration of this Law.
Loi relative à la Réforme des Etats (1940).	The Whole Law.	On date of registration of this Law.
Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1941.	The Whole Law.	On date of registration of this Law.
The States (Election of People's Deputies) (Special Provisions) Law, 1945.	The Whole Law except Section 3 thereof. Section 3.	On the 30th September, 1948. On the 31st March, 1949.

JAMES E. LE PAGE,
H.M. Greffier.