

ORDER IN COUNCIL

X

1985

ratifying a Projet de Loi

ENTITLED

The President of the States Insurance Authority (Validation) (Guernsey) Law, 1985

(Registered on the Records of the Island of Guernsey
3rd day of December, 1985.)



1985

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 3rd day of December, 1985 before Sir Charles Frossard, Kt., Bailiff, present:—Albert Richard McCartney Straw, Donald Pescott Plummer, Brian Ernest Herbert Joy, Esquires, Charles Henry Hodder, Esquire, O.B.E., Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, John Christopher Bulstrode, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires and Mrs. Dorothy Winifred Le Pelley, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 30th October, 1985 approving and ratifying a *Projet de Loi* of the States of Guernsey entitled "The President of the States Insurance Authority (Validation) (Guernsey) Law, 1985" the Court after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney, of which Order in Council the tenor followeth;—

At the Court of Saint James

The 30th day of October 1985

PRESENT,

The Counsellors of State in Council

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 27th day of September 1985, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND 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 6th day of September 1985 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 24th day of April 1985, the States of Deliberation at a meeting held on the 30th day of May 1985 approved a Bill or “Projet de Loi” entitled “The President of the States Insurance Authority (Validation) (Guernsey) Law, 1985”, 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 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 President of the States Insurance Authority (Validation) (Guernsey) Law 1985", and to order that the same shall have force of law in the Islands of Guernsey, Alderney, 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."

NOW, THEREFORE, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Edward, being authorised thereto by the said Letters Patent, have taken the said Report into consideration and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf, approve of and ratify the said Projet de Loi, and order, and it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Alderney, Herm and Jethou.

AND do 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.

G. I. de Denev.

PROJET DE LOI

ENTITLED

The President of the States Insurance Authority (Validation) (Guernsey) Law 1985

WHEREAS section 92(3) of the Social Insurance (Guernsey) Law, 1978 provides that the President of the States Insurance Authority (hereinafter referred to as "the Authority") shall hold office for a period of three years computed from the 30th day of April in the year of his election:

WHEREAS by a Resolution of the States of the 25th day of April, 1979 Conseiller (then Deputy) Robert Myhill Chilcott was elected President of the Authority for a term of office computed from the 30th day of April, 1979:

WHEREAS the said term of office terminated on the 29th day of April, 1982:

WHEREAS HOWEVER by a Resolution of the 29th day of April, 1981 the States purported to re-elect the said Robert Myhill Chilcott President of the Authority for a term of office computed from the 30th day of April, 1981:

WHEREAS a term of office computed from the 30th day of April, 1981 would have terminated on the 29th day of April, 1984, and the States did not, on or before the 29th day of April, 1984, elect a person to the office of President of the Authority to fill the vacancy caused by the said termination of office:

AND WHEREAS the said Robert Myhill Chilcott did, during the period commencing on the 30th day of April, 1982 and ending on the 29th day of April, 1985, purport to continue in office and to exercise the powers of, perform the duties of, and otherwise act as President of the Authority as if he had been properly elected to that office:

NOW THEREFORE the States, in pursuance of their Resolution of the 24th day of April, 1985, 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, Alderney, Herm and Jethou.

Validation
of certain
acts etc. of
Conseiller
Robert
Myhill
Chilcott.

1. (1) No duty performed, no power exercised and no other act done by Conseiller (formerly Deputy) Robert Myhill Chilcott while purporting to act as President of the States Insurance Authority (hereinafter referred to as "the Authority"), or by any person acting by or under the purported authority of the said Robert Myhill Chilcott, during the period commencing on the 30th day of April, 1982 and ending on the 29th day of April, 1985 (hereinafter referred to as "the relevant period") shall be deemed to be, or ever to have been, unlawful by reason only of any defect in the qualification of the said Robert Myhill Chilcott to act as President of the Authority when that duty, power or other act was performed, exercised or done, as the case may be.

(2) The said Robert Myhill Chilcott and every such person as aforesaid are hereby freed, acquitted, discharged and indemnified from all legal proceedings whatsoever in respect of any such duty, power and act as aforesaid if those proceedings could not have been instituted or prosecuted had the said

Robert Myhill Chilcott been properly holding the office of President of the Authority during the relevant period.

2. No duty performed, no power exercised and no act done during the relevant period by or on behalf of the Authority shall be deemed to be or ever to have been invalid by reason only of any vacancy in the office of President of the Authority or of any defect in the qualification of the said Robert Myhill Chilcott to act as President of the Authority.

Validation
of certain
acts etc. of
the
Authority.

3. This Law may be cited as the President of the States Insurance Authority (Validation) (Guernsey) Law, 1985.

Citation.

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