

# ORDER IN COUNCIL

XXII

ratifying a Projet de Loi

1957

ENTITLED

## The Public Assistance (Guernsey) Amendment Law, 1957.

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(Registered on the Records of the Island of Guernsey  
on the 23rd day of November, 1957.)

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1957.

# ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 23rd day of November, 1957, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present : Sir John Leale, Arthur Falla, Ernest Francis Lainé, Bertram Bartlett, Osmond Priaulx, Esquires, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., and Claude Fortescue Nason, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 31st day of October, 1957, ratifying a *Projet de Loi* entitled "The Public Assistance (Guernsey) Amendment Law, 1957",—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 31st day of October, 1957.

PRESENT,

## The Queen's Most Excellent Majesty.

LORD PRESIDENT

EARL OF PERTH

CHANCELLOR OF THE DUCHY OF LANCASTER

MR. WALKER-SMITH

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 11th day of October, 1957, 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 the Resolution of the 3rd day of April, 1957, the States of Deliberation at a meeting held on the 18th day of September, 1957, approved a Bill or “Projet de Loi” entitled “The Public Assistance (Guernsey) Amendment Law, 1957” 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 Public Assistance (Guernsey) Amendment Law, 1957” 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 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 Island of Guernsey.

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.



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

## **PROJET DE LOI**

ENTITLED

### **The Public Assistance (Guernsey) Amendment Law, 1957.**

THE STATES, in pursuance of their Resolution of the third day of April, nineteen hundred and fifty-seven, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in this Island.

1. In this Law, the expression "the principal Law" means the Public Assistance Law, 1937, as amended by the Public Assistance (Guernsey) Amendment Law, 1950, and the Public Assistance (Guernsey) Law, 1955.

2. Two of the five Overseers of the Poor of the Parish of Saint Peter Port who shall be determined by lot and who, but for this provision, would, in pursuance of Article XVII of the principal Law (which contains general provisions), have remained in office until the thirty-first day of December, nineteen hundred and fifty-eight, shall remain in office only until the thirty-first day of December, nineteen hundred and fifty-seven.

3. During the period commencing on the first day of January, nineteen hundred and fifty-eight, and ending on the thirtieth day of April, nineteen hundred and fifty-eight, both days inclusive—

- (a) paragraph (1) of Article V of the principal Law (which provides for the constitution of the Central Outdoor Assistance Board) shall have effect as if for the expression “The five senior Overseers of the Poor” there were substituted the expression “The three senior Overseers of the Poor”; and
- (b) paragraph (1) of Article VII of the principal Law (which provides for the constitution of the Parochial Outdoor Assistance Boards) shall have effect as if for the expression “the ten Overseers of the Poor” there were substituted the expression “the six Overseers of the Poor”.

4. On and after the first day of January, nineteen hundred and fifty-eight, paragraph (2) of Article XVII of the principal Law shall have effect as if for the expression “ten Parochial officers” there were substituted the expression “six Parochial officers”.

5. On and after the first day of May, nineteen hundred and fifty-eight, sub-paragraph (h) of paragraph (1) of Article VIII of the principal Law (which relates to the powers and duties of the Parochial Outdoor Assistance Boards) shall have effect as if for the expression “six Members” there were substituted the expression “three Members”.

6. On the first day of May, nineteen hundred and fifty-eight, Article V of the principal Law shall stand repealed and there shall be substituted therefor the following Article V:—

## "ARTICLE V.

CONSTITUTION OF THE CENTRAL OUT-  
DOOR ASSISTANCE BOARD.

(1) The Central Outdoor Assistance Board (hereafter in this Article referred to as "the Board") shall be composed of a President, being the President of the Authority, and of twenty-four other members as follows, that is to say:—

- (a) the three senior Overseers of the Poor of the Parish of Saint Peter Port;
- (b) the senior Procureur of the Poor of each Parish, other than the Parish of Saint Peter Port;
- (c) one member of each of the Parochial Outdoor Assistance Boards, other than the Saint Peter Port Parochial Outdoor Assistance Board, elected by those Boards respectively from among the States-elected members thereof; and
- (d) three members of the Saint Peter Port Parochial Outdoor Assistance Board elected by that Board from among the States-elected members thereof.

(2) The President of the Board may from time to time nominate a Vice-President of the Board from among those members of the Board who are States-elected members of Parochial Outdoor Assistance Boards and a person so nominated shall hold office as Vice-President until the thirtieth day of April next following the day on which he was so nominated.

(3) One of the members of the Board elected by the Saint Peter Port Parochial Outdoor Assistance

Board and three of the members of the Board elected by the other Parochial Outdoor Assistance Boards shall retire from office on the thirtieth day of April in each year.

(4) The members of the Board to retire in accordance with the provisions of the last foregoing paragraph shall be the members who have held office longest since they were last elected, provided that where two or more members were elected on the same day the order of their retirement shall be determined by lot.

(5) A retiring elected member of the Board shall, if not otherwise disqualified, be eligible for re-election.

(6) An elected member of the Board shall cease to be a member of the Board upon ceasing to be a member of the Parochial Outdoor Assistance Board by which he was elected.

(7) In the event of an elected member of the Board, other than the President, ceasing to hold office, otherwise than by effluxion of time, a new member shall be elected to the Board for the unexpired portion of the term of office of the member so ceasing to hold office by the Parochial Outdoor Assistance Board by which such last-mentioned member was elected.

(8) At any meeting of the Board ten members, of whom not less than six shall be States-elected members of the Parochial Outdoor Assistance Boards, shall constitute a quorum of the Board.”.

7. On the first day of May, nineteen hundred and fifty-eight, Article VII of the principal Law shall stand repealed and there shall be substituted therefor the following Article VII:—

“ARTICLE VII.

CONSTITUTION OF THE PAROCHIAL OUT-  
DOOR ASSISTANCE BOARDS.

(1) The Saint Peter Port Parochial Outdoor Assistance Board shall be composed of twelve members as follows, that is to say:—

- (a) five members elected by the States from among the members of the States who are resident in the Parish of Saint Peter Port;
- (b) the Procureur of the Poor of the Parish of Saint Peter Port; and
- (c) the three senior and the three junior Overseers of the Poor of the Parish of Saint Peter Port.

(2) The Parochial Outdoor Assistance Board of each Parish, other than that of the Parish of Saint Peter Port, shall be composed of seven members as follows, that is to say:—

- (a) four members elected by the States, whether before or after the commencement of this Article, from among the members of the States who are resident in the Parish;
- (b) the Senior Constable of that Parish; and
- (c) the two Procureurs of the Poor of that Parish.

(3) There shall be a President of each Parochial Outdoor Assistance Board who shall from time to time be elected by the States from among the States-elected members of that Board and who shall hold office during such period as the States may from time to time by Resolution prescribe.

(4) For the purposes of the last preceding paragraph, the President of a Parochial Outdoor Assistance Board, other than the Saint Peter Port Parochial

Outdoor Assistance Board, in office immediately before the commencement of this Article shall be deemed to have been elected as President of that Board under the provisions of that paragraph for the unexpired portion of the period of office for which he was elected by the States before the commencement of this Article.

(5) Each Parochial Outdoor Assistance Board shall from time to time elect a Vice-President of the Board from among the States-elected members of that Board and such Vice-President shall hold office until the thirtieth day of April next following the day on which he was elected.

(6) One of the States-elected members of each Parochial Outdoor Assistance Board shall retire from office on the thirtieth day of April in each year.

(7) The member of a Parochial Outdoor Assistance Board to retire in accordance with the provisions of the last foregoing paragraph shall be the one who has held office longest since he was last elected, provided that where two or more members were elected on the same day the order of their retirement shall be determined by lot.

(8) A retiring member of a Parochial Outdoor Assistance Board shall, if not otherwise disqualified, be eligible for re-election.

(9) A States-elected member of any Parochial Outdoor Assistance Board shall cease to be a member of that Board upon ceasing to be a member of the States.

(10) A member of the Parochial Outdoor Assistance Board of any Parish shall cease to be a member thereof upon ceasing to be a resident of that Parish.

(11) In the event of any States-elected member of a Parochial Outdoor Assistance Board ceasing to hold office, otherwise than by effluxion of time, a new member shall be elected thereto for the unexpired portion of the term of office of the member to be replaced.

(12) At any meeting of the Saint Peter Port Parochial Outdoor Assistance Board—

- (a) the junior Overseer of the Poor of the Parish of Saint Peter Port for a district of that Parish shall have no vote except in the absence from the meeting of the senior Overseer of the Poor for that district; and
- (b) six members, of whom not more than three shall be Overseers of the Poor, shall constitute a quorum.

(13) At any meeting of a Parochial Outdoor Assistance Board, other than the Saint Peter Port Parochial Outdoor Assistance Board, four members shall constitute a quorum.”.

8. On the first day of May, nineteen hundred and fifty-eight, paragraph (1) and paragraph (2) of Article I of the Public Assistance (Guernsey) Amendment Law, 1950, shall stand repealed.

9. This Law may be cited as the Public Assistance (Guernsey) Amendment Law, 1957, and the Public Assistance (Guernsey) Laws, 1937 to 1955, and this Law may be cited together as the Public Assistance (Guernsey) Laws, 1937 to 1957.

JAMES E. LE PAGE,

Her Majesty's Greffier.