

ORDER IN COUNCIL

X
1990

ratifying a Projet de Loi

ENTITLED

The Public Thoroughfares (Amendment) (Guernsey) Law, 1990

(Registered on the Records of the Island of Guernsey
on the 19th June, 1990.)



1990

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of June, 1990 before Sir Charles Frossard, Kt., Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, Geoffrey Ernest Le Page, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss and Kenneth John Rowe, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 1st May, 1990, approving and ratifying a Projet de Loi of the States of Guernsey entitled “The Public Thoroughfares (Amendment) (Guernsey) Law, 1990”, 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 1st day of May 1990

PRESENT,

The Queen's Most excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 2nd day of April 1990 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 29th day of April, 1987, the States of Deliberation at a meeting held on the 27th day of September, 1989, approved a Bill or “Projet de Loi” entitled “The Public Thoroughfares (Amendment) (Guernsey) Law 1990”, 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 as 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 Thoroughfares (Amendment) (Guernsey) Law, 1990”, and to order that the same shall have force of law in the Island of Guernsey and Herm.’

“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, and it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey and Herm.

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.

G. I. de Deney

PROJET DE LOI

ENTITLED

The Public Thoroughfares (Amendment) (Guernsey) Law, 1990

THE STATES, in pursuance of their Resolution of the 29th day of April, 1987, 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 and Herm.

1. (1) The references in Article XIX of the Law entitled "Loi relative à l'Entretien des Voies Publiques" registered on the 26th day of November, 1904, (hereinafter referred to as "the Law of 1904")^(a) and in Article I of the Law entitled "Loi pour l'Entretien des Rues de la Paroisse de St. Pierre-Port et la Reconstitution du Comité des Voies Publiques de l'Ile" registered on the 13th day of December, 1919, (hereinafter referred to as "the Law of 1919")^(b), to the Comité des voies publiques shall be construed as references to the States Public Thoroughfares Committee (hereinafter in this section referred to as "the Committee").

Constitution
of States
Public
Thorough-
fares Com-
mittee.

(2) The constitution of the Committee shall be such as shall, from time to time, be prescribed by the States by Resolution.

2. Subject to the provisions of section 3 of this Law (Savings), section 4 of the States Committees (Amendment) Law, 1966, (hereinafter referred to as "the Law of 1966")^(c), is hereby repealed.

Repeal.

(a) Ordres en Conseil Vol. III, p. 397.

(b) Ordres en Conseil Vol. VI, p. 166.

(c) Ordres en Conseil Vol. XX, p. 135.

Savings.

3. On the Date of the reconstitution of the Committee first occurring as shall be prescribed by the States by Resolution in accordance with the provisions of section 1 of this Law, the President and every other member of the former Committee in office on that date shall be deemed to have resigned:

Provided that such President and every such other member shall be deemed lawfully to continue in office during the period between the date of registration of this Law on the records of the Island of Guernsey and the date of the reconstitution of the Committee as aforesaid and the acts of the former Committee during such aforesaid period shall be valid and binding for all purposes and on all persons accordingly and anything in process of being done under or by virtue of the Law of 1966 by, or in relation to the former Committee, at such aforesaid date, whether by way of legal proceedings or otherwise, may be continued by, or in relation to the reconstituted Committee and in this section, the expression "former Committee" means the Committee constituted under the Law of 1966, the expression "reconstituted Committee" means the Committee constituted under this Law and in this section the expression "Committee" shall be construed accordingly.

Interpre-
tation.

4. Except where the context otherwise requires, any reference in this Law to any other enactment shall be construed as including a reference to that enactment as amended, repealed, replaced, extended or applied by or under any other enactment including this Law.

Construction.

5. This law shall be construed as one with the Law of 1904, the Law of 1919 and the Law of 1966.

6. This Law may be cited as the Public Citation.
Thoroughfares (Amendment) (Guernsey) Law, 1990.

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