

# GUERNSEY

## STATUTORY INSTRUMENT

1949 No. 14  
REVOKED - See S.I. 43 & 50.

THE MEALS IN ESTABLISHMENTS (BAILLIWICK OF GUERNSEY) ORDER, 1949.

As Competent Authorities as regards the Bailiwick of Guernsey excluding the Island of Alderney and as regards the Island of Alderney respectively in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, we hereby make the following Order:-

1. In this Order -

"The Committee" means the States of Guernsey Committee for the Control of Essential Commodities;

"Consume" includes attempt to consume;

"Dish" means any human food or assortment or combination of human food which in the normal practice of serving meals is served at the same time as part of the same course but does not include fresh fruit;

"Establishment" means any catering establishment, institution or residential establishment, licensed or deemed to be licensed as such under the provisions of The Food (Licensing of Establishments) (Bailiwick of Guernsey) Order, 1948, and includes all persons employed or otherwise engaged in the business or running of the establishment;

"Intoxicating liquor" means spirits, wine, beer, porter, cider, perry and sweets and any fermented, distilled or spirituous liquor which cannot, according to any law for the time being in force, be legally sold without an excise licence;

"Obtain" includes attempt to obtain;

"Oysters" does not include cooked oysters;

"Supply" includes offer or agree or attempt to supply.

2. Subject as hereinafter provided, no establishment shall supply for consumption, and no person shall obtain or consume, at or for the purposes of any single meal supplied by any establishment more than four dishes.
3. Nothing in this Order shall apply to any meal served to a patient in an establishment which is a hospital, sanatorium or nursing home.
4. Except under and in accordance with the terms of a licence granted by or on behalf of the Committee, the amount which may be paid or charged for any meal obtained or supplied in or by any establishment shall not exceed five shillings exclusive of beverages other than water and service charges where permitted under this Order: Provided that -
  - (i) where such a meal is served to any person or persons in a private room which has been reserved at the request of such person or persons for his or their exclusive use, an additional charge not exceeding 2s. 6d. per person may be charged and paid;
  - (ii) where not less than six oysters are obtained in or supplied in or by an establishment as a meal or part of a meal, an additional sum not exceeding 4s. 0d. may be charged and paid;
  - (iii) where lobsters (other than canned lobsters), smoked salmon and poultry, or any of them are supplied in or by an establishment as a meal or part of a meal, an additional sum not exceeding two shillings and sixpence may be charged and paid.

5. Where any music or other entertainment of any kind is provided at or in connection with or incidental to any meal served in any establishment no charge shall be made or demanded or paid by any person in respect thereof except in accordance with the following provisions:-

(a) when facilities for ball-room dancing are provided in the same room in the establishment in which the meal is being served to patrons, and musical accompaniment is continuously (with reasonable intervals) provided by a band or orchestra consisting of not less than four players during a fixed period, and the patrons are notified prior to the service of the meal of the facilities and the duration of the fixed period by notice to this effect, and to the effect that an extra charge will be made in respect thereof, such notice being exhibited prominently at the entrance to the establishment and on the face of the menus an additional sum not exceeding two shillings and sixpence per person may be charged and paid;

(b) when cabaret is provided, in the same room in the establishment in which the meal is being served to patrons during a fixed period, by at least four performers, and the patrons are notified to this effect in the manner described in the last preceding sub-paragraph, and to the effect that an extra charge will be made in respect thereof an additional sum not exceeding two shillings and sixpence per person may be charged and paid:

Provided that the maximum sum which may be charged or paid by any one person in respect of all such facilities and cabaret referred to in sub-paragraphs (a) and (b) of this Article shall not exceed two shillings and sixpence.

6. No charge shall be made, demanded or requested by any person for service in connection with the provision of any meal in or by an establishment, save that an additional charge not exceeding sixpence for every five shillings (any fraction of five shillings to be counted as five shillings for this purpose) of the total amount of the bill for the meal, including any additional charges for beverages including intoxicating liquors obtained or supplied at or incidental to the meal, may be made for service if added to the bill for the meal.

7. Except as provided by Article 4 hereof no establishment shall charge and no person shall pay any establishment in connection with the obtaining, consumption or supplying for consumption in or by any establishment of any meal, any amount for or in respect of the hire or reservation of any room.

8. No person shall, in connection with the obtaining, consumption or supplying for consumption in or by any establishment of any meal, enter or offer to enter into any artificial or fictitious transaction or make or demand any unreasonable charge.

9. (1) The provisions of this Order are subject to any Directions which may at any time be given by or on behalf of the Committee and to any licence or authorisation which may be granted by or on behalf of the Committee under this Order.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.

(3) Every licence or authorisation under this Order is and shall remain the property of the Committee.

(4) Any person being in possession of any licence or authorisation granted under this Order shall, if requested to do so by or on behalf of the Committee, produce such licence or authorisation or deliver the same to such person or to a person of such class or description as may be specified in the request.

10. The following Orders and Licences are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof:-

- (1) The Meals in Establishments (Bailiwick of Guernsey) Order, 1947, dated 5th August, 1947. - 1368
- (2) The Meals in Establishments (Bailiwick of Guernsey) (Amendment No. 2) Order, 1948, dated 21st May, 1948. - 1494
- (3) The Meals in Establishments (Bailiwick of Guernsey) (Amendment No. 3) Order, 1948, dated 13th July, 1948. - 1509
- (4) The Meals in Establishments (Bailiwick of Guernsey) (Amendment No. 4) Order, 1948, dated 24th July, 1948. - 1524
- (5) The General Licence dated 23rd December, 1947. - 1484
- (6) The General Licence dated 7th May, 1948. - 1491

Provided that any licence granted under that Order and subsisting immediately before the coming into force of this Order shall constitute a licence duly granted for the purposes of this Order.

- 11. Infringements of this Order are offences against the Defence (General) (Guernsey) Regulations, 1945.
- 12. This Order may be cited as The Meals in Establishments ((Bailiwick of Guernsey) Order, 1949, and shall come into force on the 7th day of June, 1949.

dated this 4th day of June, 1949.

S. P. HERIVEL.

President,  
States of Alderney.

A. FALLA.

President,  
States' Committee for the Control of  
Essential Commodities.

EXPLANATORY NOTE.

(This Note is not part of the Order, but is intended to indicate its general purport).

This Order revokes and re-enacts the provisions of The Meals in Establishments (Bailiwick of Guernsey) Order, 1947, as amended. The principal amendments are -

- (1) The number of dishes permitted to be served in an establishment is increased from three to four.
- (2) The maximum charges which may be made for any meal are modified as follows:-
 

	s.	d.
(a) Maximum charge for any meal not containing lobster (other than canned lobster), smoked salmon or poultry or containing less than six oysters.	5	0
(b) Maximum charge for any meal containing lobster (other than canned lobster) smoked salmon or poultry.	7	6
(c) Maximum charge for any meal containing not less than six oysters.	9	0

The provisions relating to service charges, music and cabaret charges and charges for meals served in a private room remain unchanged.