

1975 No. 419**FRIENDLY SOCIETIES****The Friendly Societies (Channel Islands) Order 1975**

Made - - - - - 18th March 1975

Coming into Operation 1st April 1975

At the Court at Buckingham Palace, the 18th day of March 1975

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the power conferred upon Her by section 113(1) of the Friendly Societies Act 1974(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Friendly Societies (Channel Islands) Order 1975 and shall come into operation on 1st April 1975.
2. In this Order “the Act” means the Friendly Societies Act 1974.
3. The Friendly Societies Act 1974 in its application to the Channel Islands shall have effect subject to the adaptations and modifications specified in the Schedule to this Order, that is to say, in its application to the Bailiwick of Jersey subject to those specified in Part I of the Schedule, and in its application to the Bailiwick of Guernsey subject to those specified in Part II thereof.

N. E. Leigh

SCHEDULE

PART I

JERSEY ADAPTATIONS AND MODIFICATIONS

1. The references in sections 13(2), 35(4) and 78(1) of the Act to the High Court shall be construed as a reference to the Inferior Number of the Royal Court.
2. Any reference in the Act to the county court, or, in relation to civil proceedings, to a magistrates' court, shall be construed—
 - (a) in relation to a case in which the sum in dispute does not exceed £100, as a reference to the Petty Debts Court, and
 - (b) in any other case, as a reference to the Inferior Number of the Royal Court.
3. All offences under the Act shall be prosecuted summarily before the Police Court in all cases within the competence of that court, and in all other cases before the Inferior Number of the Royal Court.
4. All fines shall be paid to the officers who are by the law and practice of the Bailiwick entitled to receive the fines imposed by those courts respectively and shall be paid by those officers to Her Majesty's Receiver General in the Bailiwick on behalf of the Crown.
5. In default of payment fines may be enforced in the same manner as fines paid in the Bailiwick to the Crown.
6. An appeal shall lie in any case which admits of an appeal to a court in the Bailiwick under the law for the time being in force in the Bailiwick and that law shall apply to any such appeal, but the decision of the Jersey Court of Appeal or of the Royal Court sitting as the Superior Number or as the Inferior Number as the case may be shall be final.
7. Any registered society the registered office of which is situated in Jersey may invest any part of its funds in any loans issued by the States of Jersey.

PART II

GUERNSEY ADAPTATIONS AND MODIFICATIONS

1. The references in sections 13(2), 35(4) and 78(1) of the Act to the High Court shall be construed as a reference—
 - (a) in Guernsey, Herm and Jethou, to the Royal Court of Guernsey sitting as an Ordinary Court;
 - (b) in Alderney, to the Court of Alderney;
 - (c) in Sark, to the Court of the Seneschal of Sark.
2. Any reference in the Act to the county court shall be construed as a reference—
 - (a) in Guernsey, Herm and Jethou, to the Royal Court of Guernsey sitting as an Ordinary Court;
 - (b) in Alderney, to the Court of Alderney;
 - (c) in Sark, to the Court of the Seneschal of Sark.

3. Any reference in the Act in relation to civil proceedings to a magistrates' court shall be construed as a reference—

- (a) in Guernsey, Herm and Jethou, to the Magistrate's Court;
- (b) in Alderney, to the Court of Alderney;
- (c) in Sark, to the Court of the Seneschal of Sark.

4. All offences under the Act shall be prosecuted and all fines shall be recovered summarily at the instance of Her Majesty's Attorney General for Guernsey—

- (a) in Guernsey, Herm and Jethou, before the Magistrate's Court;
- (b) in Alderney, before the Court of Alderney;
- (c) in Sark, before the Court of the Seneschal of Sark.

5. All fines shall be paid to Her Majesty's Receiver General in the Bailiwick and be carried by him to the account of the Crown Revenue.

6. An appeal shall lie in any case which admits of an appeal to a court in the Bailiwick under the law for the time being in force in the Bailiwick and that law shall apply to any such appeal, but the decision of the Guernsey Court of Appeal or of the Royal Court sitting as a Full Court or as an Ordinary Court, as the case may be, shall be final.

7. Any registered society the registered office of which is situated in the Bailiwick may invest any part of its funds in any loans issued by the States of Guernsey, the States of Alderney or the Chief Pleas of Sark.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order specifies the adaptations and modifications subject to which the Friendly Societies Act 1974 is to have effect in the Channel Islands.

SI 1975/419
ISBN 0-11-050419-4

