

PROJET DE LOI

ENTITLED

The Matrimonial Causes Law (Guernsey), 1939, Amendment Law, 1946 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XII, p. 278; as amended by the Matrimonial Causes (Amendment) (Guernsey) Law, 1957 (Ordres en Conseil Vol. XVII, p. 249). See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288). This Law is prospectively repealed by the Matrimonial Causes (Bailiwick of Guernsey) Law, 2022 (No. ** of 2022).

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ARRANGEMENT OF ARTICLES

1. Appeals.
2. Article 2.
3. ...
4. Currency of Ordinances.

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THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Bailiwick of the Island of Guernsey.

Appeals.

1. Section (1) of Article 3 of the Matrimonial Causes Law (Guernsey) 1939, hereinafter referred to as "**the principal law**" shall be deleted, and the following two sections substituted, which said sections shall henceforth form part of that Article –

"(1) An appeal shall lie to the Appeal Court from any award, decree, judgment or order of the Judge in Matrimonial Causes.

(1a) Save as is set out in subsection (1) of this Article, no appeal shall lie from any finding of fact unmixed with law by the Court for Matrimonial Causes other than the assessment of damages."¹

2. Section (2) of Article 3 of the principal law shall be amended by the substitution in line I of the words "on any question of law, mixed fact and law" for the words "on any question of law".

Judge in Matrimonial Causes.

3. ...

NOTE

Article 3 was repealed by the Matrimonial Causes (Amendment) (Guernsey) Law, 1957, Article 2, with effect from 12th December, 1957.

Currency of Ordinances.

4. Ordinances passed by the Royal Court in pursuance of the principal Law shall not expire by effluxion of time but shall continue in force, subject to such variations and modifications thereof as may be made from time to time, until repealed by the Royal Court.

NOTES

The Law received Royal Sanction on 2nd August, 1946 and was registered on the Records of the Island of Guernsey and came into force on 31st August, 1946.

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 63, with effect from 17th January, 1949, the powers and functions of a legislative nature previously exercised by the Royal Court were transferred to and vested in the States of Deliberation, and thenceforth any enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall be construed as having conferred the like power on the States of Deliberation or (pursuant to amendments to that Article made by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016) on the States Policy & Resources Committee, as the case may be.

¹ For subsequent amendments, see the consolidated text of the Matrimonial Causes Law (Guernsey), 1939.