

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance Relative au Retrait Lignager et Foncier *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. 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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* Recueil d'Ordonnances Tome V, p. 94; as amended by the Decimal Currency (Bailiwick of Guernsey) Law, 1970 (Ordres en Conseil Vol. XXII, p. 558). See also the Loi relative au Retrait Lignager, aux Appropriements, et à la Lecture des Contrats aux Plaids d'Héritage (Ordres en Conseil Vol. VII, p. 176); the Law Reform (Inheritance and Miscellaneous Provisions) (Guernsey) Law, 2006 (No. IV of 2008).

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ARRANGEMENT OF SECTION

Section 1.

(Made on 22nd January, 1900.)
(Renewed on 19th January and 5th October, 1903.)

Ordonnance Relative au Retrait Lignager et Foncier

LA COUR, en renouvelant avec modification dispositions de l'Ordonnance provisoire relative au retrait lignager et au retrait foncier passée aux Chefs-Plaids d'après Noël tenus le 22 Janvier 1900 et renouvelée aux Chefs-Plaids d'après Noël tenus le 19 Janvier 1903 ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: –

Tout retrayant qui aura eu un marché en héritage soit à droit de retrait lignager ou à droit de retrait foncier, sera tenu de faire enregistrer l'acte du dit marché en héritage sur le livre des contrats pour la date, et paiera [five new pence] au Greffier du Roi pour l'enregistrement du dit acte, en outre les honoraires de la Cour.

NOTES

In this Ordinance, the words in square brackets were substituted in accordance with the provisions of the Decimal Currency (Bailiwick of Guernsey) Law, 1970, section 8, with effect from 15th February, 1971.

The Ordinance was made and came into operation at Chief Pleas after Christmas, held on 22nd January, 1900; and renewed at Chief Pleas after Christmas, held on 19th January, 1903 and at Chief Pleas after Michaelmas, held on 5th October, 1903.

In accordance with the provisions of the Law Reform (Inheritance and Miscellaneous Provisions) (Guernsey) Law, 2006, section 32(1), with effect from 8th May, 2008, the "droit de retrait lignager" (right of redemption of real property) is abolished, subject to the provisions of section 32(3) of the 2006 Law.¹

¹ The right of redemption of real property ("droit de retrait lignager") was previously abolished, in part, by the Loi sur les Successions, 1840, Article 27 (in the case of "vente d'immeubles à l'enchère devant Justice"), with effect from 3rd August, 1840; and by the Loi relative au Retrait Lignager, aux Appropriements, et à la Lecture des Contrats aux Plaids d'Héritage, 1924, Article I, with effect from 12th January, 1924, save for the exceptions in paragraph (a) and paragraph (b) of the said Article I.