

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance relative à l'arrêt de Gages des Employés *

[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 VIII, p. 298. This Ordinance is applied to the Island of Herm by the Herm Laws Ordinance, 1948 (Recueil d'Ordonnances Tome IX, p. 247); and to certain court orders under the Matrimonial Causes Law (Guernsey), 1939 (Ordres en Conseil Vol. XI, p. 318); and the Domestic Proceedings and Magistrate's Court (Guernsey) Law, 1988 (Ordres en Conseil Vol. XXXI, p. 171). See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288).

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ARRANGEMENT OF SECTION

Gages des employés.

(Made on the 8th July, 1933.)

Ordonnance relative à l'arrêt de Gages des Employés

LA COUR, ouïes les conclusions du Contrôle du Roi, a rappelé l'Ordonnance relative aux Gages des Ouvriers du 13 avril 1863 et y a substitué l'Ordonnance suivante.

Gages des employés.

Les Gages ne seront pas susceptibles d'arrêt en recouvrement de dette à moins que la Cour, à l'instance du créancier et après s'être informée de la nature de la dette et des moyens du débiteur, n'ait expressément autorisé tel arrêt en fixant le proportion des gages qui sera sujette à tel arrêt laquelle proportion n'excédera pas la moitié.

NOTES

The Ordinance was made and came into operation on 8th July, 1933.

The Ordinance is applied to the Island of Herm by the Herm Laws Ordinance, 1948, Article 1, Schedule, Part III, with effect from 13th March, 1948.

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 70(3), with effect from 1st January, 1950, this formerly Provisional Ordinance of the Royal Court became a Permanent Ordinance of the States.

In accordance with the provisions of the Domestic Proceedings and Magistrate's Court (Guernsey) Law, 1988, section 31(1)(b), with effect from 5th December, 1989, where the court makes an order under that Law for the payment of money, the court may also order, subject to the provisions of the said paragraph (b), that a proportion, not exceeding one half, of the wages of the person liable to make the payment shall be arrested to facilitate the recovery thereof; and such an order has effect as an arrêt de gages to which this Ordinance applies.

In accordance with the provisions of the Matrimonial Causes Law (Guernsey), 1939, section 57C, with effect from 18th December, 2003, when making a relevant order, as therein defined, and subject to the provisions of the said section 57C, the court may make a wage arrest order, and such an order has effect as an arrêt de gages to which this Ordinance applies.
