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D'ORDRES EN CONSEIL

D'UN INTÉRÊT GÉNÉRAL,

ENREGISTRÉS SUR LES RECORDS DE L'ILE DE GUERNESEY DEPUIS L'ANNÉE 1800.

RÉDIGÉ SOUS L'AUTORITÉ DE LA COUR ROYALE

PAR

H. A. LE PATOUREL, PROCUREUR DU ROI.

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ORDRES EN CONSEIL.

(Enregistré sur les Records le 4 septembre 1926).

AT THE COURT AT BUCKINGHAM PALACE,
The 28th day of June, 1926.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD STEWARD
SECRETARY SIR W. JOYNSON-HICKS — COL. G. LANE-FOX

Loi ayant rapport au Transport de Marchandises sur Mer

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the affairs of Guernsey and Jersey, dated the 7th day of June, 1926, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That for the reasons set forth in the preamble thereof, the Royal Court on the 1st day of May, 1926, adopted a Bill or Projet de Loi intituled 'Loi ayant rapport au Transport de Marchandises sur Mer,' and requested the Bailiff to submit the same to the States for their approval. (2) That on the 19th day of May, 1926, the said Bill or Projet de Loi was duly considered by the States of Deliberation, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi ayant rapport au Transport de Mar-

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chandises sur Mer,' and to order and direct that the same shall have the force of law within the Island of Guernsey.

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI AYANT RAPPORT AU TRANSPORT DE MARCHANDISES SUR MER.

Préambule

Attendu qu'à une conférence Internationale sur

le droit maritime tenue à Bruxelles au mois d'octobre 1922, les délégués se sont accordés de recommander à leurs Gouvernements respectifs l'adoption d'un brouillon d'une convention pour l'unification de certains règlements ayant rapport aux connaissements ; 1926

Attendu que l'Acte du Parlement intitulé " The Carriage of Goods by Sea Act 1924 " donne force de loi aux dits règlements dans le but de régler les droits et obligations se rattachant aux porteurs de marchandises sur mer en rapport aux connaissements ;

Attendu qu'il est expédient de donner effet légal aux dits règlements dans les Iles de ce Bailliage, le Projet de Loi qui ensuit rédigé en Anglais aura force de loi dans les dites Iles de ce Bailliage.

ARTICLE I.

Subject to the provisions of this law, the Rules contained in the schedule to this law shall have effect in relation to and in connection with the carriage of goods by sea in ships carrying goods from any port in the Islands of the Bailiwick to any other port whether in or outside the said Islands.

ARTICLE II.

There shall not be implied in any contract for the carriage of goods by sea to which the Rules apply any absolute undertaking by the carrier of the goods to provide a seaworthy ship.

ARTICLE III.

Every bill of lading or similar document of title issued in the Islands of the Bailiwick which contains, or is evidence of, any contract to which the Rules apply shall contain an express statement that it is to have effect subject to the provisions of the said Rules as applied by this law.

ARTICLE IV.

Article VI of the Rules shall, in relation to the carriage of goods by sea in ships carrying goods from any port in the Islands of the Bailiwick to any port in Great Britain or Northern Ireland or to a port in the Irish Free State, have effect as though the said Article referred to goods of any class instead of to particular goods and as though the proviso to the second paragraph of the said Article were omitted.

ARTICLE V.

Where under the custom of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then notwithstandng anything in the Rules, the bill of lading shall not be deemed to be prima facie evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

ARTICLE VI.

Nothing in this law shall affect the operation of sections four hundred and forty-six to four hundred and fifty, both inclusive, five hundred and two and five hundred and three of the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or the operation of any other enactment for the time being in force limiting the liability of the owners of sea-going vessels.

ARTICLE VII.

The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by sea made

before the day on which the Order of His Majesty in Council sanctioning the present law is registered on the Records of the Island of Guernsey. 1926

SCHEDULE.

Rules relating to Bills of Lading.

ARTICLE 1.

DEFINITIONS.

In these Rules, the following expressions have the meanings hereby assigned to them respectively, that is to say—

(*a*) " Carrier " includes the owner or the charterer who enters into a contract of carriage with a shipper :

(*b*) " Contract of carriage " applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same :

(*c*) " Goods " includes goods, wares, merchandises, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried :

(*d*) " Ship " means any vessel used for the carriage of goods by sea :

(*e*) " Carriage of goods " covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

ARTICLE II.

RISKS.

Subject to the provisions of Article VI, under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

ARTICLE III.

RESPONSIBILITIES AND LIABILITIES.

1. The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

(*a*) Make the ship seaworthy :

(*b*) Properly man, equip, and supply the ship :

(*c*) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation.

2. Subject to the provisions of Article VI, the carrier shall properly and carefully load, handle, stow, carry, keep, care for and discharge the goods carried.

3. After receiving the goods into his charge, the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

(*a*) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as

should ordinarily remain legible until the end of the voyage :

(*b*) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper :

(*c*) The apparent order and condition of the goods.

Provided that no carrier, master or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking,

4. Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (*a*), (*b*), and (*c*).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, or if the loss or damage be not apparent, within three days, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

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In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master or agent of the carrier, to the shipper shall, if the shipper so demands, be a " shipped " bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the " shipped " bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this Article be deemed to constitute a " shipped " bill of lading.

8. Any clause, covenant or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault or failure in the duties and obligations provided in this Article or lessening such liability otherwise than as provided in these Rules, shall be null and void and of no effect.

A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE IV.

RIGHTS AND IMMUNITIES.

1. Neither the carrier nor the ship shall be liable

for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped and supplied, and to make the holds, refrigerating and cool chambers and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation in accordance with the provisions of paragraph 1 of Article III. 1926

Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this section.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

(*a*) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship :

(*b*) Fire, unless caused by the actual fault or privity of the carrier :

(*c*) Perils, dangers and accidents of the sea or other navigable waters :

(*d*) Act of God :

(*e*) Act of War :

(*f*) Act of public enemies :

(*g*) Arrest or restraint of princes, rulers or people, or seizure under legal process :

(*h*) Quarantine restrictions :

(*i*) Act of omission of the shipper or owner of the goods, his agent or representative :

(*j*) Strikes or lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general :

(*k*) Riots and civil commotions :

(*l*) Saving or attempting to save life or property at sea :

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(*m*) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods :

(*n*) Insufficiency of packing :

(*o*) Insufficiency or inadequacy of marks :

(*p*) Latent defects not discoverable by due diligence :

(*q*) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3.—The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault or neglect of the shipper, his agents or his servants.

4.—Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of these Rules or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5.—Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100*l.* per package or unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be prima facie evidence, but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master or agent of the carrier and the shipper another maximum

amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with goods if the nature or value thereof has been knowingly mis-stated by the shipper in the bill of lading.

6.—Goods of an inflammable, explosive or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented, with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment.

If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

ARTICLE V.

SURRENDER OF RIGHTS AND IMMUNITIES, AND INCREASE OF RESPONSIBILITIES AND LIABILITIES.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under the Rules contained in any of these Articles, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of these Rules shall not be applicable to charter-parties, but if bills of lading are issued in the case of a ship under a charter-party they shall

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comply with the terms of these Rules. Nothing in these Rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

ARTICLE VI.

SPECIAL CONDITIONS.

Notwithstanding the provisions of the preceding Articles, a carrier, master or agent of the carrier, and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness, so far as this stipulation is not contrary to public policy, or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a non-negotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect.

Provided that this Article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms and conditions under which the carriage is to be performed, are such as reasonably to justify a special agreement.

ARTICLE VII.

LIMITATIONS ON THE APPLICATION OF THE RULES.

Nothing herein contained shall prevent a carrier or

a shipper from entering into any agreement, stipulation, condition, reservation or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea. 1926

ARTICLE VIII.

LIMITATION OF LIABILITY.

The provisions of these Rules shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of sea-going vessels.

ARTICLE IX.

The monetary units mentioned in these Rules are to be taken to be gold value.

(*Enregistré sur les Records le 4 septembre* 1926.)

AT THE COURT AT BUCKINGHAM PALACE,

The 26th day of July, 1926.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	SECRETARY SIR JOHN GILMOUR
EARL OF ONSLOW	HON. F. A. ANGLIN
LORD COLEBROOKE	HON. G. P. GRAHAM
MR. SECRETARY AMERY	COLONEL J. GRETTON
	SIR H. J. MACKINDER.

Loi ayant rapport aux Faibles d'Esprit.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 22nd day of July, 1926, in the words following, viz.:—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of

1926 May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That on the 20th day of February, 1924, the States of Deliberation approved a plan submitted to them by their President whereby they undertook the cost of transport to and the maintenance of mentally deficient persons in a suitable Institution in England under the provisions of the Mental Deficiency Act, 1913. (2) That following negotiations, the County Council of Hampshire have undertaken the care of our mentally deficient, at the expense of the States of this Island. (3) That in order to provide for the removal of a mentally deficient person from Guernsey, the Law Officers of the Crown prepared a Bill or Projet de Loi on the lines of the aforesaid Act, and duly submitted it to the Royal Court on the 24th day of October, 1925, when it was adopted. (4) That the said Bill or Projet de Loi, as adopted by the Royal Court, was submitted to the Ministry of Health for their observations. (5) That certain verbal modifications to the said Bill suggested by the Ministry of Health were subsequently adopted by the Royal Court on the 1st day of May, 1926, when the Bailiff was requested to submit the same to the States for their approval. (6) That on the 19th day of May, 1926, the said Bill or Projet de Loi was duly considered by the States of Deliberation, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. (7) That the said Bill or Projet de Loi is intituled ' Loi ayant rapport aux Faibles d'Esprit,' and is in the words and figures set forth in the Schedule to the Petition. And most humbly praying that Your Majesty would be gracious'y pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi ayant rapport aux

Faibles d'Esprit,' and to order and direct that the same shall have the force of law within the Island of Guernsey. 1926

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT AUX FAIBLES D'ESPRIT.

DÉFINITIONS.

Définition de "Institution pour la réception de faibles d'esprit."

"Institution pour la réception de faibles d'esprit" signifie une institution autorisée pour la réception des faibles d'esprit aux fins de l'Acte du Parlement dit "The Mental Deficiency Act, 1913," ou de tout autre acte du Parlement qui pourra y être substitué de temps à autre.

Individus censés faibles d'esprit—

Les individus compris dans les classes ci-dessous seront censés, pour les besoins de cette loi, faibles d'esprit :—

Idiots

(*a*) les idiots, c'est-à-dire les individus si profondément défectueux en esprit depuis leur naissance ou depuis le bas âge qu'ils sont incapables de se défendre contre les dangers physiques ordinaires ;

Imbéciles

(*b*) les imbéciles, c'est-à-dire les individus n'étant pas proprement dits des idiots mais atteints depuis leur naissance ou depuis le bas âge d'une imperfection d'esprit si prononcée qu'ils sont incapables de ménager ni eux-mêmes ni leurs affaires, et dans le cas d'enfants d'être instruits à ce faire ;

Imparfaits d'esprit

(*c*) les imparfaits d'esprit, c'est-à-dire les individus n'étant pas proprement dits des imbéciles, mais atteints depuis leur naissance ou depuis le bas âge d'une imperfection d'esprit si prononcée qu'ils ont besoin pour leur propre protection ou pour la protection d'autrui, de soin, surveillance et contrôle ; ou dans le cas des enfants paraissant incapables en permanence à cause de telle imperfection d'esprit

de retirer avantage de l'enseignement dans les écoles ordinaires ;

(*d*) les imbéciles moraux, c'est-à-dire les individus qui depuis le bas âge manifestent quelque imperfection d'esprit permanente accompagnée d'une forte tendence vicieuse ou criminelle et sur lesquels les peines n'ont peu ou pas d'effet préventif. Imbéciles moraux

ARTICLE I.

Sujet aux formalités ci-après prescrites, tout faible d'esprit pourra être, en vertu de cette loi, envoyé en Angleterre dans le but que des démarches soient prises par l'autorité civile aux fins de l'Acte du Parlement dit " The Mental Deficiency Act, 1913," pour obtenir un Ordre pour placer tel faible d'esprit dans une institution pour la réception de faibles d'esprit. Envoi en Angleterre dans une Institution

ARTICLE II.

Un Acte de la Cour Royale pour envoyer un faible d'esprit en Angleterre dans le but de le placer dans une institution pour la réception de faibles d'esprit pourra être obtenu Procédures à suivre pour envoyer un faible d'esprit en Angleterre

(*a*) à l'instance du garde naturel ou du tuteur s'il s'agit d'un mineur, du Curateur-aux-Biens s'il s'agit d'un adulte, ou des Officiers du Roi ou de l'un d'eux dans le cas où le garde naturel, le tuteur ou le Curateur-aux-Biens refuse ou néglige de ce faire, ou

(*b*) sur un Acte de la Cour Royale siégeant en Cour Ordinaire si, en outre d'être faible d'esprit, l'individu en question

(i) est trouvé négligé ou abandonné ou sans asile ou moyens apparents pour pouvoir se maintenir, ou est cruellement maltraité par qui que ce soit,

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ou n'est pas sous un soin ou contrôle convenable, ou

(ii) a été trouvé coupable d'une offense criminelle qui le rendrait passible d'emprisonnement ou de la servitude pénale ou est passible d'être envoyé à une école réformatoire ou industrielle aux fins de la loi ayant rapport à la protection des enfants et des jeunes personnes (1917), ou

(*c*) sur la demande des Officiers du Roi ou de l'un d'eux si l'individu est sous le coup d'un emprisonnement dans la prison publique de cette Ile excepté un emprisonnement infligé en vertu des procédures civiles.

Dans le cas ou une offense aux fins des sous-sections (i) et (ii) de la section (*b*) de cet article est traitée par le Magistrat et qu'il lui paraît que l'accusé quoique coupable de l'offense, est faible d'esprit, le Magistrat, au lieu de prononcer sentence, remettra la cause et priera les Officiers du Roi de prendre les démarches nécessaires pour obtenir un Acte de la Cour Royale pour envoyer l'accusé en Angleterre dans le but de le placer dans une institution pour la réception de faibles d'esprit.

ARTICLE III.

Requête à la Cour Royale

(1) Celui qui désire placer un faible d'esprit dans une institution pour la réception de faibles d'esprit aux fins de la section (*a*) de l'article II de cette loi sera tenu de présenter une requête à l'effet à la Cour Royale siégeant en Cour Ordinaire contenant

(*a*) le nom, les prénoms et le lieu de résidence du pétitionnaire ;

(*b*) ses qualités et son dégré de parenté au malade ;

(*c*) le nom, les prénoms, l'âge et le lieu de résidence du malade ;

(*d*) le fait que le malade est faible d'esprit dans

le sens indiqué par cette loi et la classe de faibles d'esprit sous laquelle il se trouve ;

(*e*) le nom et l'adresse de l'institution pour la réception des faibles d'esprit à laquelle le malade sera envoyé ;

(*f*) les raisons qui donnent lieu à croire que le malade est faible d'esprit.

Deux certificats médicaux nécessaires

(2) Lors de la présentation de la requête à la Cour, le pétitionnaire sera tenu de produire deux certificats médicaux chacun signé d'un médecin autorisé à exercer sa profession en cette Ile. Les certificats des médecins seront rédigés et contiendront les détails selon la Forme A annexée à cette loi.

Cour pourra visiter le malade

(3) La Cour, si elle n'est pas satisfaite de l'information contenue dans les certificats des médecins, pourra visiter le malade ou le faire ajourner à comparaître devant elle.

Cour pourra ordonner toutes personnes non-intéressées de vider la salle d'audience

(4) Outre et sans porter atteinte aux pouvoirs de la Cour de procéder " in camera " la Cour pourra ordonner que pendant l'audition de la requête toute personne autre que les membres et Officiers de la Cour, ou les parties en cause, leurs Avocats ou les personnes intéressées directement dans la requête, soit obligée de vider la salle d'audience.

Acte de la Cour Royale pour envoyer le faible d'esprit en Angleterre

(5) La Cour, si elle est satisfaite que le malade est faible d'esprit et qu'il est sujet à être traité aux fins de cette loi, pourra, si elle le croit désirable dans les intérêts du malade, ordonner qu'il soit envoyé en Angleterre dans le but de le placer dans une institution pour la réception de faibles d'esprit. L'Acte de la Cour énoncera la classe de faibles d'esprit à laquelle le malade appartient et les circonstances qui le rendent sujet à être traité aux fins de cette Loi.

Cour pourra remettre la requête pour quatorze jours

(6) La Cour, si elle n'est pas satisfaite que le malade est faible d'esprit et sujet à être traité aux fins de cette loi ou qu'il est désirable dans l'intérêt du malade de faire un Acte comme dessus, pourra remettre la requête pendant une période n'excédant

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Cour pourra aussi rejeter la requête

pas quatorze jours pour plus d'information et pourra de plus ordonner que le malade se soumette à un examen médical. La Cour pourra aussi rejeter la requête.

ARTICLE IV.

Acte de la Cour lorsqu'un individu se trouve dans une des circonstances mentionnées à la section (*b*) Article II.

Lorsqu'un individu se trouve dans une des circonstances mentionnées à la section (*b*) de l'article II de cette loi, s'il est établi d'après le témoignage médical qu'il est faible d'esprit aux termes de cette loi, la Cour pourra, au lieu de prononcer une sentence d'emprisonnement, ordonner qu'il soit envoyé en Angleterre dans le but de le placer dans une institution pour la réception de faibles d'esprit.

ARTICLE V.

Procédure lorsque l'Acte de la Cour ne peut être mis à exécution de suite, ou lorsque le faible d'esprit n'est pas en état d'être envoyé en Angleterre

Si

(*a*) un Acte est fait ordonnant qu'un faible d'esprit soit envoyé en Angleterre dans le but susdit, mais que tel acte ne peut être mis à exécution de suite, ou

(*b*) à la date où le dit Acte doit venir en force le faible d'esprit n'est pas dans un état d'être envoyé en Angleterre

la Cour pourra faire un Acte ordonnant que le faible d'esprit soit placé en custodie dans un lieu déterminé ou dans la custodie d'aucun parent ou d'aucune autre personne convenable, et il sera gardé en custodie jusqu'à ce qu'il soit envoyé en Angleterre.

ARTICLE VI.

La Cour autorisera le transport du faible d'esprit

L'Acte de la Cour ordonnant qu'un faible d'esprit soit envoyé en Angleterre autorisera le transport du faible d'esprit à l'endroit où l'ordre pour sa détention dans une institution va être fait.

ARTICLE VII.

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Frais de transport et de maintien dans une institution seront payés par les Etats

Le montant annuel requis pour la garde, la nourriture et l'entretien d'un faible d'esprit détenu dans une institution pour la réception de faibles d'esprit en Angleterre aux fins de cette loi, ainsi que tous autres frais encourus par l'autorité locale ou autre corps public en Angleterre en rapport avec le faible d'esprit, que tels frais soient en rapport avec sa détention dans l'institution ou autrement, seront payés ou remboursés par les Etats de cette Ile.

Les frais de voyage d'aller et de retour et les frais légaux pour la présentation de la requête à la Cour seront payés par les Etats de cette Ile, sujet toutefois aux dispositions de l'article VIII de cette loi.

ARTICLE VIII.

La Cour pourra ordonner que le faible d'esprit ou personne responsable paiera une somme raisonnable envers les frais de transport et de maintien

(1) Lorsque la Cour aura ordonné qu'un faible d'esprit sera détenu dans une institution pour la réception de faibles d'esprit, elle pourra aussi ordonner, au moment de passer l'acte ou par après, que le faible d'esprit ou toute personne responsable pour son maintien et entretien paiera ou contribuera une somme raisonnable envers les frais de son maintien dans l'institution, y compris les frais de transport à telle institution et les frais légaux pour la présentation de la requête à la Cour, et dans le cas de sa mort dans la dite institution, ses frais funéraires, et ce eu égard aux moyens du faible d'esprit ou de la personne responsable pour son maintien et entretien.

Sommes imposées pourront être recouvrées par procédures civiles

(2) Toutes sommes imposées et adjugées par la Cour aux fins de cet article pourront être recouvrées par des procédures civiles contre les meubles ou immeubles appartenant au faible d'esprit ou à celui responsable pour le maintien et entretien du faible d'esprit.

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(3) Tout acte fait par la Cour en vertu de cet article pourra être varié de temps à autre ou révoqué par la Cour.

FORME A.

Concernant .....
de .....
de la paroisse de.....
allégué être faible d'esprit.

Je soussigné certifie par ces présentes comme suit :—

1.—Je suis autorisé à exercer ma profession de médecin ou de chirurgien dans cette Ile de Guernesey.

2.—Le.....jour de.....19.... à .....heures d.....j'ai examiné personnellement le susdit.....sans qu'aucun autre médecin ou chirurgien fut présent, et que je suis d'opinion qu'il est faible d'esprit et que le dit ..... est une personne qui doit être placée dans une institution pour des faibles d'esprit et qu'il est de la classe ..... désignée dans les définitions de cette loi.

3.—Mon opinion est fondée sur les faits suivants :
(faits indiquant faiblesse d'esprit)
Daté le..... jour de.....19.....
Signé.....

(Enregistré sur les Records le 4 septembre 1926.)

AT THE COURT AT BUCKINGHAM PALACE,
The 10th day of August, 1926.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY

EARL OF ONSLOW	LT.-COLONEL G. A. GIBBS
LORD EUSTACE PERCY	MR. H. P. MACMILLAN.

Impôts—Auregny

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of

the Committee of Council for the Affairs of Guernsey and Jersey, dated the 3rd day of August, 1926, in the words following, viz. :— 1926

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth :—That on the 6th day of December, 1922, Your Majesty was graciously pleased by an Order of Your Majesty in Council to grant to the States of the Island of Alderney the power to levy a duty of Six shillings and threepence per gallon on Spirituous Liquors and Liqueurs retailed and consumed in the Island : a duty of Three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of One shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of Ten shillings per gallon on Wine named Champagne retailed and consumed in the Island : a duty of Three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of Fourpence per gallon on all Beer imported, brewed and consumed in the Island : a duty of Sixpence per pound on all Tobacco : a duty of Ninepence per pound on all Cigarettes : and of One shilling and threepence per pound on all Cigars consumed in the Island, from the 1st day of January, 1923, to the 31st December, 1923, or until such time as the Budget of the States was approved, the proceeds of the said duties to be applied to the purposes, and under the conditions as hereby follows :—

(*a*) Payment of One hundred pounds sterling per annum in liquidation of the Public Debt (if any) : (*b*) Payment of One hundred pounds sterling per annum to the Commissioners of Woods and Forests, as a contribution towards the expenses of the Local Administration of the Island, in accordance with the

1926 Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895: (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works, and improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty pounds sterling per annum salary to Your Majesty's Procureur : (*i*) Payment to the Directors of the Public Schools quarterly of such expenses beyond the endowment as may appear in the quarterly accounts to have been incurred : (*k*) Payment of expenses of Lighting the Town : (*k*) Payment of registration of all Public documents, Printing, Postage, etc.: (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, Cleaning and keeping in repair all Public Tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded and special services : (*n*) Payment of Twenty pounds sterling per annum, salary of States Treasurer's clerk : (*o*) Payment of Thirty pounds sterling per annum, salary of States Inspector of Explosives : and to be subject to the following conditions :—(1) That an Annual Account of the Receipts and Expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics Account shall be submitted to the Annual Audit in March each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt account shall be kept separately from that of other funds : (5) That the States shall be authorized from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past, the

right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt. 1926

That at a Meeting of the States of Alderney holden on Thursday, January 28, 1926, the States were of opinion to renew for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the records of the Island the Impôt on Wines, Spirits, Beer, Tobacco, Cigars and Cigarettes on the terms herein set forth, the proceeds of the said duties to be applied to the purposes and under the conditions herein set forth :—

That the States be authorized to levy a duty of Seven shillings and sixpence per gallon on Spirituous Liquors and Liqueurs retailed and consumed in the Island, a duty of Three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of One shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of Ten shillings per gallon on Wine named Champagne retailed and consumed in the Island : a duty of Three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of Sevenpence per gallon on all Beer imported, brewed and consumed in the Island : a duty of Sixpence per pound on all Tobacco, of One shilling and fourpence per pound on all cigarettes and of One shilling and threepence per pound on all Cigars consumed in the Island : and a duty of One shilling and eightpence per ton on all coal consumed in the Island, the proceeds of the said duties to be applied to the purposes, and under the conditions as hereby follows :—

(*a*) Payment of One hundred pounds sterling per annum in liquidation of the public debt (if any) : (*b*) Payment of One hundred pounds sterling per annum to the Commissioners of Crown Lands, as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her

1926 late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of the expenses of Public Compulsory Elementary Education beyond the endowment : (*j*) Payment of expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc.: (*l*) Payment of Police expenses, Insurance of all Public buildings, care of Fire Engines, Cleaning and keeping in repair all Public Tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty pounds sterling per annum salary of States Treasurer's clerk : (*o*) Payment of Thirty pounds sterling per annum salary of States Inspector of Explosives, and to be subject to the following conditions : (1) That an Annual Account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics Accounts shall be submitted to the Annual Audit each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt Account shall be kept separately from other funds : (5) That the States shall be authorized from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt.

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That at the said Meeting of the States of the Island of Alderney the Petitioner was authorized to present in the name of the States a most humble petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the said States power to levy the said duties for the said purposes and under the said conditions : And humbly praying that Your Majesty may be pleased to grant to the States of the Island of Alderney power to levy the said duties under the terms and conditions set forth in the Petition for the term of one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the records of the Island of Alderney.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that, with the exception of the duty on coal referred to in the said Petition, the expediency of the imposition of which is reserved for Their Lordships' further consideration, it may be advisable for Your Majesty to grant to the States of the Island of Alderney power to levy the other duties specified in the said Petition upon the terms and conditions detailed therein."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorized for the term of one year from the date of the registration of this Order of His Majesty in Council on the records of the said Island, to levy the duties (other than the duty on coal) specified in the said Petition upon the terms and conditions detailed therein.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Registers of the Islands of Guernsey and Alderney and observed accordingly.

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And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

(Enregistré sur les Records le 4 septembre 1926.)

Estonia (Extradition) Order in Council 1926

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 28 juin, 1926, intitulé " Estonia (Extradition) Order in Council 1926."

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette île par être logé au Greffe, et qu'un extrait des Registres avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny.

(Enregistré sur les Records le 20 novembre 1926.)

Berne Copyright Convention (Roumania) Order, 1926

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 5 novembre 1926 transmettant des exemplaires d'un Ordre en Conseil intitulé

" Order in Council of the 5th November, 1926, entitled 'The Berne Copyright Convention (Roumania) Order, 1926.' "

La Cour, après avoir eu lecture du dit Ordre en Conseil en date du 5 novembre 1926 communiqué, ouïes les conclusions des Officiers du Roi a ordonné:—

1.—Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette île.

2.—Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des Records de cette île. 1926

3.—Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis, sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Séneschal de Sercq.

(*Enregistré sur les Records le* 20 *novembre* 1926.)

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of November, 1926.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT	HON. J. G. COATES
LORD CHAMBERLAIN	LORD JUSTICE LAWRENCE
LORD CLINTON	SIR GEORGE CLERK
MR. BRIDGEMAN	SIR LANCELOT SANDERSON.

Loi ayant rapport à l'Emploi de Femmes, de Jeunes Personnes et d'Enfants

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of October, 1926, in the words following, viz. :—

"YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble petition of the States of the Island of Guernsey setting forth :—(1) That for the reasons set forth in the preamble thereof, the Royal Court on the 8th day of May, 1926, adopted a Bill or Projet de Loi intituled, 'Loi ayant rapport à l'Emploi de Femmes, de Jeunes Personnes et d'Enfants,' and requested the Bailiff to submit the same to the States for their approval : (2) That the said Bill, as drafted and adopted by the Royal Court, has been submitted to and concurred in by the Secretary of State : (3) That on the 6th day of October, 1926, the

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said Bill was submitted to and approved by the States of Deliberation, when the President was authorized to submit a most humble Petition to your Majesty in Council praying for Your Royal Sanction thereto : (4) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said petition : And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi ayant rapport à l'Emploi de Femmes, de Jeunes Personnes et d'Enfants,' and to order and direct that the same shall have the force of law in the Island of Guernsey.

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.'

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly. M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1926

LOI AYANT RAPPORT À L'EMPLOI DE FEMMES, DE JEUNES PERSONNES ET D'ENFANTS.

Préambule

Attendu que le vingt-huit novembre mil neuf cent dix-neuf une assemblée générale de l'Organisation dite "The International Labour Organisation of the League of Nations" adopta trois conventions contenant les dispositions prescrites dans les titres I, II et III de la cédule de cette loi ;

Attendu que le neuf juillet mil neuf cent vingt, une assemblée générale de la dite Organisation "The International Labour Organisation of the League of Nations" adopta une convention contenant les dispositions prescrites dans le titre IV de la cédule de cette loi ;

Attendu que l'Acte du Parlement dit "The Employment of Women, Young Persons and Children Act, 1920," a pour objet de mettre à effet les dispositions des dites conventions ;

Attendu qu'il est nécessaire d'établir des règlements ayant force de loi dans les Iles de ce Bailliage pareils à ceux qui sont prescrits par le dit Acte du Parlement, en tant que tels règlements sont applicables aux conditions industrielles des dites Iles ;

La Cour, moyennant l'approbation des Etats et la Sanction de Sa Majesté le Roi en Conseil, a adopté le Projet de Loi rédigé en anglais qui ensuit :—

ARTICLE I.

1.—No child shall be employed in any industrial undertaking.

2.—No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the

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convention set out in Part IV. of the Schedule to this law.

3.—No young person or woman shall be employed at night in any industrial undertaking, except to the extent to which and in the circumstances in which such employment is permitted under the convention set out in Parts II. and III. respectively of the schedule to this law.

4.—Where young persons are employed in any industrial undertaking, a register of the young persons so employed, and of the dates of their birth, and of the dates on which they enter and leave the service of their employer, shall be kept and shall at all times be open to inspection.

5.—There shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with the particulars of the dates of their birth, and in the case of a ship in which there is no such agreement, the Master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection.

This article, so far as it relates to employment in a ship, shall have effect as if it formed part of the law intituled " Loi relative à la Marine Marchande dans le Bailliage de l'Ile de Guernesey," sanctioned by an Order of His Majesty in Council dated the 10th of May, 1916, and registered on the Records of the Island on the 6th of June, 1916, and of such parts of the Merchant Shipping Acts, 1894 to 1920, as are applicable to the Islands of the Bailiwick.

ARTICLE II.

(*a*) If any person employs a child or young person

in any industrial undertaking in contravention of this law, he shall be deemed to have employed a child or young person in contravention of Part VI. of the law intituled, " Loi ayant rapport à la protection des enfants et des jeunes personnes " sanctioned by an Order of His Majesty in Council dated the 24th January, 1917, and registered on the Records of this Island the 10th day of February, 1917, and Articles 49 and 50 of that law shall apply as if they were herein re-enacted and in terms made applicable to children and young persons within the meaning of this law ; and

(*b*) If any child is employed in any ship in contravention of this law, the Master of the ship shall be liable for each offence to a fine not exceeding forty shillings, or in the case of a second or subsequent offence, not exceeding five pounds, and where a child is taken into employment in any ship in contravention of this law on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this law, that parent shall be liable to a fine not exceeding forty shillings ; and

(*c*) If any person being the employer of a young person fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects, when required, to produce it for inspection by a member of the States Island Police Force, not below the rank of Sergeant, he shall be liable to a fine not exceeding ten pounds ; and

(*d*) If the Master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects, when required, to produce it for inspection by a member of the States Island Police Force not below the rank of Sergeant, or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts

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1894 to 1920, he shall be liable to a fine not exceeding ten pounds ; and

(*e*) If a person employs a woman in contravention of this law, he shall be liable to a fine not exceeding ten pounds.

Article III.

1.—The provisions of this law shall be in addition to and not in derogation of any of the provisions of any other law in force within the Bailiwick restricting the employment of women, young persons or children.

2.—Nothing in this law shall apply to an industrial undertaking or ship in which only members of the same family are employed.

3.—Nothing in this law shall prevent the employment in any industrial undertaking or ship of a child lawfully so employed at the commencement of this law.

Article IV.

In this law :—

The expression " child " means a person under the age of fourteen years.

The expression " young person " means a person who has ceased to be a child and who is under the age of eighteen years.

The expression " woman " means a woman of the age of eighteen years or upwards.

The expression " industrial undertaking " has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the conventions set out in Parts I., II. and III. of the schedule to this law.

The expression " ship " means any sea-going ship or boat of any description which is registered in the Islands of the Bailiwick.

ARTICLE V.

For the purposes of this law the Royal Court shall have power to declare by ordinance what undertakings carried on in the Bailiwick, being industrial as distinct from commercial or agricultural, are subject to this law, and to prescribe the form of register to be kept and generally for the enforcement of the law.

ARTICLE VI.

This law shall come into force on the date of its registration on the Records of the Island by Order of His Majesty in Council.

SCHEDULE.

PART I.

CONVENTION FIXING MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly:—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth.

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railways, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct,

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sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

(*d*) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

PART II.

CONVENTION CONCERNING THE NIGHT WORK OF YOUNG PERSONS EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purposes of this Convention, the term "industrial undertaking" includes particularly:—

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(*a*) Mines, quarries, and other works for the extraction of minerals from the earth.

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind:

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction as well as the preparation for or laying the foundations of any such work or structure:

(*d*) Transport of passengers or goods by road or rail, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

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(*a*) Manufacture of iron and steel; process in which reverberatory or regenerative furnaces are used, and galvanising of sheet metal or wire (except the pickling process).
(*b*) Glass works.
(*c*) Manufacture of paper.
(*d*) Manufacture of raw sugar.
(*e*) Gold mining reduction work.

ARTICLE 3.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

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ARTICLE 4.

The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

ARTICLE 7.

The prohibition of night work may be suspended by the Government for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

PART III.

CONVENTION CONCERNING THE NIGHT WORK OF WOMEN EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purpose of this convention, the term " industrial undertaking " includes particularly :—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth :

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding, and the generation, transformation and transmission of electricity or motive power of any kind ;

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

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The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

For the purpose of this Convention, the term " night " signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

ARTICLE 3.

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 4.

Article 3 shall not apply :—

(*a*) In cases of *force majeure*, when in any undertaking there occurs an interruption of work which it is impossible to foresee, and which is not of a recurring character.

(*b*) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

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ARTICLE 6.

In industrial undertakings which are influenced by the seasons and in all cases where exceptional cir-

cumstances demand it, the night period may be reduced to ten hours on sixty days of the year. 1926

PART IV.

CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA.

ARTICLE 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned: it excludes ships of war.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

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(Enregistré sur les Records le 27 novembre 1926.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of November, 1926.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	HON. J. G. COATES
LORD CHAMBERLAIN	LORD JUSTICE LAWRENCE
LORD CLINTON	SIR GEORGE CLERK
MR. BRIDGEMAN	SIR LANCELOT SANDERSON.

Loi supplémentaire relative aux Mariages 1926

WHEREAS there was this day read at the Board a Report from the right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 27th day of August, 1926, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That for the reasons set forth in the preamble thereof, the Royal Court, on the 30th day of January, 1926, adopted a Bill or Projet de Loi prepared by the Law Officers of the Crown, intituled 'Loi Supplémentaire relative aux Mariages, 1926,' and requested the Bailiff to submit the same to the States for their approval : (2) That on the 28th day of April, 1926, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same, and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (3) That in accordance with paragraph 2 of Article 4 of the Agreement between the Royal Court of Guernsey and the Court of Alderney ratified by an Order of Your Majesty in Council of the 1st day of February, 1926, the said Bill was submitted to the States of Alderney on the 26th day of May, 1926, when a Resolution was passed approving the same : (4) That the said Bill or Projet de Loi modified to make it applicable to the Bailiwick of Guernsey, is in the words and figures set forth in the Schedule

thereunto annexed : And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi intituled ' Loi Supplémentaire relative aux Mariages, 1926,' and to order and direct that the same shall have the force of Law within the Bailiwick of the Island of Guernsey." 1926

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

1926 "PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE RELATIVE AUX MARIAGES, 1926.

Préambule Attendu qu'il est nécessaire d'étendre les provisions de la Loi intitulée "Loi ayant rapport aux Mariages célébrés dans les Iles de Guernsey, d'Auregny et de Serk," sanctionnée par Ordre de Sa Majesté en Conseil en date du 15 avril 1919 enregistré sur les Records de cette Ile le 6 mai 1919, et ce dans le but d'établir des règlements prescrivant des formalités à être observées pour des Mariages célébrés hors des Iles de ce Bailliage lorsque l'une des parties contractantes réside dans l'une des dites Iles, et pour des mariages célébrés dans les dites Iles lorsque l'une des parties contractantes réside ailleurs que dans les dites Iles.

ARTICLE I.

Lorsque l'une seulement des parties contractantes à un mariage réside en l'une des Iles de ce Bailliage et que les parties désirent que le dit mariage soit célébré ailleurs que dans les dites Iles, le Registraire Général des Mariages dans le Bailliage est autorisé à recevoir la notification de Mariage et à livrer un certificat constatant que la dite notification a été donnée et qu'il n'y a aucun empêchement au mariage.

ARTICLE II.

La notification du mariage contiendra le nom, prénom, l'âge, la profession et l'état de chacune des parties voulant se marier, la demeure de l'une et de l'autre et la période pendant laquelle la partie donnant la notification aura demeuré dans l'une des dites Iles laquelle période ne doit pas être moins de sept jours immédiatement précédant la dite notification, et le nom et profession du père de chacune des parties, et le lieu où le dit mariage doit avoir lieu.

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ARTICLE III.

Le Registraire Général, après avoir reçu une notification de mariage aux fins des articles précédents, en fera publication par le moyen d'une inscription des noms des parties au mariage sur une liste laquelle restera suspendue dans son bureau pendant vingt et un jours consécutifs.

ARTICLE IV.

Après publication des noms aux fins dessus, le Registraire Général à l'expiration des dits vingt et un jours, s'il n'y a pas d'empêchement au mariage, livrera un certificat à l'effet que notification du mariage a été donnée et que publication en a été dûment faite.

ARTICLE V.

Il sera payé au Registraire Général la somme d'un chelin pour chaque notification de mariage et la somme de deux chelins six pennis pour chaque certificat par lui livré aux fins de l'article IV.

ARTICLE VI.

Lorsque l'une des parties contractantes à un mariage réside hors des îles du Bailliage et que les parties désirent que le dit mariage soit célébré dans l'une des dites Iles, le Registraire Général, avant de célébrer le mariage, exigera de la partie qui réside hors des dites Iles la production d'un certificat du Registraire ou autre Officier compétent du district ou du pays de la résidence de la dite partie à l'effet que les formalités voulues par la loi du dit district ou du dit pays quant à la notification d'un mariage ont été dûment observées et qu'il n'y a aucun empêchement au mariage.

ARTICLE VII.

Les devoirs attribués et honoraires payables par les

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dispositions de cette Loi au Registraire Général du Bailliage de l'Ile de Guernesey seront, en ce qui concerne l'île d'Auregny, attribués et payables au Registraire de la dite île.

ARTICLE VIII.

Cette loi ne déroge en rien aux provisions de la dite loi ayant rapport aux mariages célébrés dans les Iles de Guernesey, d'Auregny et de Serk du six mai 1919, ni à celles de la loi ayant rapport aux mariages célébrés dans l'île d'Auregny du premier octobre 1923, lesquelles s'appliqueront également aux personnes qui résident respectivement dans les dites îles et qui désirent faire célébrer leurs mariages ailleurs que dans les dites Iles.

(Enregistré sur les Records le 27 novembre 1926.)

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of November, 1926.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	HON. J. G. COATES
LORD CHAMBERLAIN	LORD JUSTICE LAWRENCE
LORD CLINTON	SIR GEORGE CLERK
MR. BRIDGEMAN	SIR LANCELOT SANDERSON.

Loi supplémentaire à la Loi de 1924 ayant rapport à l'obligation réciproque des père, mère et des enfants de se fournir des Aliments, 1926

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of October, 1926, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That for the reasons set forth in the preamble thereof, the Royal Court on the 4th day of September, 1926, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi Supplémentaire à la Loi de 1924 ayant rapport à

l'obligation réciproque des père, mère et des enfants de se fournir des Aliments, 1926,' and requested the Bailiff to submit the same to the States for their approval : (2) That on the 6th day of October, 1926, the said Bill or Projet de Loi was duly considered by the States of Deliberation, and a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition : And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi Supplémentaire à la Loi de 1924 ayant rapport à l'obligation réciproque des père mère et des enfants de se fournir des Aliments, 1926,' and to order and direct that the same shall have the force of Law in the Island of Guernsey." 1926

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

" HIS MAJESTY having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

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And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council—

LOI SUPPLÉMENTAIRE À LA LOI DE 1924 AYANT RAPPORT À L'OBLIGATION RECIPROQUE DES PÈRE, MÈRE ET DES ENFANTS DE SE FOURNIR DES ALIMENTS, 1926.

Préambule

Attendu qu'en vertu de l'article 5 de la loi ayant rapport à l'obligation réciproque des père ,mère et des enfants de se fournir des aliments 1924, sanctionnée par Ordre de Sa Majesté en Conseil en date du 25 juillet 1924, enregistré sur les Records de cette Ile le 23 août 1924, l'action de demande pour une pension alimentaire peut être intentée soit par la personne qui réclame la pension ou par son représentant légal, soit par le Conseil des Pauvres d'une paroisse ;

Attendu qu'il est expédient que le droit d'action de demande pour une pension alimentaire soit aussi accordée au Comité des Etats dit "The States Old Age Pensions Authority" ;

L'action de demande pour pension alimentaire peut être intentée par le "States Old Age Pensions Authority"

L'action de demande pour une pension alimentaire aux fins du dit article V de la dite loi pourra être intentée, outre par ceux mentionnés dans le dit article, par le Comité des Etats dit "The States Old Age Pensions Authority" constitué aux fins de l'article 7 de la loi ayant rapport aux pensions pour la vieillesse, sanctionnée par Ordre de Sa Majesté en Conseil en date du 19 mars 1926, enregistré sur les Records de cette Ile le 12 avril 1926.

ORDRES EN CONSEIL.

(*Enregistré sur les Records le 27 novembre* 1926.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of November, 1926.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	HON. J. G. COATES
LORD CHAMBERLAIN	LORD JUSTICE LAWRENCE
LORD CLINTON	SIR GEORGE CLERK
MR. BRIDGEMAN	SIR LANCELOT SANDERSON.

Loi portant réglementation sur l'Admission et l'Enregistrement des Etrangers. Auregny

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 1st day of October, 1926, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth :—(1) That for the reasons set forth in the preamble thereof, the Court of Alderney on the 12th day of September, 1925, adopted the Projet de Loi intituled ' Loi portant réglementation sur l'Admission et l'Enregistrement des Étrangers ' and requested the Petitioner to submit the same to the States of Alderney for their approval ; (2) That at a meeting of the States of Alderney holden before the Petitioner on the 28th day of September, 1925, the said Projet de Loi (a copy whereof is hereunto annexed) was duly considered and approved by the States, and the Petitioner was authorized to present in the name of the States a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And humbly praying Your Majesty to grant Your

1926 Royal Sanction to the said Projet de Loi, and to order and direct that the same shall have the force of Law in Your Majesty's said Island of Alderney."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi, and also to revoke the Order in Council of the 16th day of January, 1924, regulating the Admission and Registration of Aliens in the Island of Alderney."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY is also pleased, by and with the same advice, to revoke the Order in Council of the 16th day of January, 1924, regulating the Admission and Registration of Aliens in the Island of Alderney, and the same is hereby revoked.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1926

LOI PORTANT RÉGLEMENTATION SUR L'ADMISSION ET L'ENREGISTREMENT DES ÉTRANGERS.

Préambule

Attendu qu'il convient d'appliquer à l'Ile d'Auregny les principales dispositions de l'Ordre de Sa Majesté en Conseil intitulé "Aliens Order, 1920," en vertu de l'Acte du Parlement intitulé "Aliens Restriction Act, 1914."

Attendu, en outre, qu'il convient, en ce qui regarde les restrictions imposées aux Étrangers par l'Acte du Parlement intitulé "Aliens Restriction (Amendment) Act, 1919," d'assimiler au Royaume-Uni l'Ile d'Auregny.

ARTICLE 1.

Dispositions du "Aliens Order 1920" et du "Aliens Restriction (Amendment) Act seront applicables"

Les dispositions de l'Ordre en Conseil susdit, intitulé "Aliens Order, 1920," et de tels Ordres en Conseil l'amendant qui seront par après enregistrés sur les records de cette Ile, et de l'Acte du Parlement intitulé "Aliens Restriction (Amendment) Act, 1919," seront, en tous points applicables à l'Ile d'Auregny, en ce qui concerne les conditions d'admission, de séjour, de nationalité, de conduite tenue par eux, d'expulsion, d'emploi dans la Marine Marchande, et de participation à une entreprise commerciale ou maritime quelconque.

ARTICLE 2.

Conditions à observer par étrangers venant de l'étranger âgés de plus de seize ans

Aucun individu, venant de l'étranger et âgé de plus de seize ans révolus, ne pourra à moins qu'il ne soit Sujet Britannique, débarquer en l'Ile d'Auregny sans l'autorisation du Lieutenant-Gouverneur.

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Tout Préposé à l'Immigration pourra soumettre à telles conditions que le Lieutenant-Gouverneur jugera convenables, l'accord de l'Autorisation à un étranger anglicé " Alien " de débarquer dans cette Ile, et l'étranger en question sera tenu de se conformer à ces conditions.

ARTICLE 3.

Passeport

Tout individu de plus de seize ans révolus, venant de l'étranger à cette Ile devra être soit titulaire d'un passeport revêtu de sa photographie et délivré par l'autorité compétente dans les cinq ans précédant son arrivée, soit porteur d'un document quelconque qui établisse clairement, à la pleine satisfaction du Préposé à l'Immigration, de sa nationalité et son identité, lequel passeport ou document dans le cas d'un étranger anglicé " Alien " sera visé par le Consul Britannique ou le Contrôleur de passeports du pays qu'il quitte. De plus, toute personne arrivant de, ou s'embarquant pour l'étranger, devra fournir, à toute requête du dit Fonctionnaire, soit à l'arrivée soit au départ, tous les renseignements que ce dernier sera autorisé à lui demander.

ARTICLE 4.

Tous renseignements doivent être fournis au "Immigration Officer"

Tout individu, de plus de seize ans révolus et de nationalité étrangère à la Nationalité Britannique, devra fournir, dès que possible, à son arrivée dans cette Ile au Bureau d'Enregistrement des Étrangers dans cette Ile, tous renseignements que le Fonctionnaire préposé à l'Enregistrement des Étrangers dans l'Ile d'Auregny, dénommé " Immigration Officer," sera autorisé à lui demander, et lui remettre (sauf en cas d'impossibilité matérielle motivée, à apprécier par le dit Fonctionnaire), soit son passeport avec photographie, datant de moins de cinq ans avant son arrivée, soit un document quelconque établissant formellement sa nationalité et son identité.

ARTICLE 5. 1926

Tout individu, de nationalité étrangère à la Nationalité Britannique, venant à loger chez une personne quelconque, résidant à Auregny, ou faisant partie de la famille d'une personne résidant à Auregny, sera tenu d'en informer, dans le plus court délai possible, le préposé à l'Immigration. Etrangers logeant chez une personne quelconque

ARTICLE 6.

Tout individu, Sujet Britannique ou non, résidant dans cette Ile, sera tenu de signer, sur la demande soit d'un Préposé à l'Immigration ou d'un Fonctionnaire préposé à l'Enregistrement des Étrangers, une déclaration de Nationalité, et s'il n'est point Sujet Britannique, produire, sur demande, toutes pièces d'identité et tous renseignements exigibles des étrangers. Déclaration de Nationalité

ARTICLE 7.

Tout Capitaine, Patron ou Maître d'un navire quelconque venant de l'étranger devra fournir au Préposé à l'Immigration, tous les renseignements parvenus à sa propre connaissance sur les passagers et l'équipage se trouvant à son bord. Il devra, également, donner au dit Fonctionnaire d'Immigration, toute latitude de visiter son navire, en tous temps. Conditions à observer par Capitaines, Patrons ou Maîtres de navires venant de l'Etranger

ARTICLE 8.

Le Préposé à l'Immigration devra tenir Registre des Étrangers débarqués dans l'Ile d'Auregny. Il y mentionnera tous détails essentiels concernant chacun de ces derniers, et il agira sous la direction du Trésorier des Etats. Registre

ARTICLE 9.

Toute personne qui contreviendrait ou qui man- Personnes coupables d'infraction

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querait à se conformer aux dispositions de la présente Loi ou aux dispositions de l'Ordre en Conseil intitulé "Aliens Order, 1920," et de l'Acte du Parlement intitulé "Aliens Restriction (Amendment) Act, 1919," comme à un Ordre ou à un Règlement quelconque ou aux conditions imposées en vertu du dit Acte du Parlement, qui auront été déclarés par la Cour siégeant en Corps applicables totalement ou partiellement à cette Ile, sera tenue pour coupable d'infraction à la présente Loi.

ARTICLE 10.

Quiconque aiderait ou induirait quelqu'un à contrevenir en quoique ce soit à la présente Loi, ou à l'Ordre en Conseil ou l'Acte du Parlement susdits, ou qui, sciemment, abriterait une personne quelconque qu'il saurait ou soupçonnerait, pour des motifs raisonnables, avoir agi en contravention de la présente Loi, sera tenu lui-même pour coupable d'infraction à la présente Loi.

ARTICLE 11.

Personnes débarquant en contravention aux dispositions de cette Loi

Toute personne débarquant ou atterrissant sur le territoire de cette Ile en contravention aux dispositions de la présente Loi, comme aussi le maître du navire ou le pilote ou le commandant de l'appareil aérien d'où cette personne débarquerait ou atterrirait, sera, sauf preuve du contraire, tenue pour avoir aidé ou induit à l'infraction commise.

ARTICLE 12.

Penalité pour infraction

Quiconque se sera rendu coupable d'infractions aux dispositions de la présente Loi sera passible, soit d'une amende ne pouvant excéder Cent livres sterling, soit d'un emprisonnement, avec ou sans travail forcé d'une durée ne pouvant excéder six mois (et, en cas de première ou de toute autre récidive, douze

mois), soit dans l'un comme dans l'autre cas, des deux peines, amende et emprisonnement concurremment.

ARTICLE 13.

Préposé sera nommé par la Cour

Le Préposé à l'Immigration sera nommé par la Cour et ce, sous réserve de l'approbation de Son Excellence le Lieutenant-Gouverneur.

ARTICLE 14.

Devoirs du Préposé

Autant qu'il sera en leur pouvoir de le faire, les Fonctionnaires Préposés à l'Immigration devront veiller à la mise à exécution des autres prescriptions de l'Ordre en Conseil intitulé " Aliens Order, 1920," et de l'Acte du Parlement intitulé " Aliens Restriction (Amendment) Act, 1919," susdit, et de toutes autres prescriptions d'autres Ordres en Conseil amendant le dit Ordre enregistrés à l'avenir sur les Records de l'Ile d'Auregny, qui auront être déclarés par la Cour siégeant en Corps applicables, totalement ou partiellement à l'Ile susdite.

ARTICLE 15.

DEFINITIONS.

Définitions

Dans la mise à exécution dans cette Ile des dispositions de l'Ordre en Conseil du " Aliens Order, 1920," et de l'Acte du Parlement intitulé " Aliens Restriction (Amendment) Act, 1919," et de tout Ordre en Conseil amendant à l'avenir le dit Ordre, l'expression " the Court " et " any court of summary jurisdiction" se réfère à la Cour siégeant en Police Correctionnelle et composée du Juge ou de son Lieutenant et d'au moins deux Jurés-Justiciers.

Les expressions " débarquant " et " atterrissant " comprendront toute arrivée, accès, ou entrée par

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n'importe quel moyen de transport, et toutes références à l'action de débarquer ou d'atterrir (comme ci-dessus) seront tenues pour s'étendre à toutes tenatives de débarquement ou d'atterrissage, à moins que le contexte n'en comporte autrement.

L'expression " embarquer " comprendra tout départ par n'importe quel moyen de transport.

L'expression " navire " comprendra tout appareil aérien.

L'expression " Capitaine," " Patron ou Maître d'un navire " s'étendra à tout pilote d'un appareil aérien quelconque.

ARTICLE 16.

Application des amendes

Les amendes seront applicables moitié à Sa Majesté et moitié au délateur.

ARTICLE 17.

Cour autorisée à passer Ordonnances

La Cour de l'Ile d'Auregny est autorisée à passer telles Ordonnances qu'elle trouvera nécessaires pour la mise à exécution de la présente Loi.

(Enregistré sur les Records le 11 *décembre* 1926.*)*

AT THE COURT AT SANDRINGHAM,
The 20th day of November, 1926.
PRESENT,
THE KING'S MOST EXCELLENT MAJESTY
HIS ROYAL HIGHNESS PRINCE HENRY.
EARL OF SEFTON.
HON. WILLIAM WATSON.

Loi relative aux Automobiles

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 18th day of November, 1926, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May,

1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That, in order to meet the great increase in the cost of the upkeep of the roads, the Finance Committee, in their report on the Budget Estimates for the year 1926, submitted to the States on the 16th December, 1925, brought forward (*inter alia*) proposals for the increase of the tax on motor vehicles : (2) That on the 19th day of May, 1926, the States discussed the following propositions, viz., that reckoning from the 1st day of January, 1927, (*a*) the tax on automobiles be raised from Five shillings to Six shillings per hundredweight ; (*b*) on motor-cycles from Twenty shillings to Twenty-five shillings (*c*) on motor-cycle combinations from Twenty shillings to Thirty shillings, with power to increase the said taxes at the discretion of the States, if they deem it desirable in future, as follows, viz. : To Ten shillings per hundredweight on automobiles, to Forty shillings on motor-cycles, and to Fifty shillings on motor-cycle combinations ; (*d*) to raise the rate of the permit to drive an automobile or a motor-cycle from Tenpence to One shilling, and to declare that the permit to drive a motor-car shall be distinct from that to drive a motor-cycle or motor-cycle combination. After debate, proposals (*b*), (*c*) and (*d*) were adopted, and (*a*) was referred back to the Finance Committee for further consideration in the light of certain amendments proposed at the meeting: (3) That at a meeting of the States held on the 21st day of July, 1926, proposal (*a*) was adopted in an amended form as follows :—That, reckoning from the 1st day of January, 1927, the tax on automobiles be raised to Six shillings per hundredweight on pneumatic-tyred vehicles, plus twenty-five per centum on any vehicle with other than pneumatic tyres on any wheel. And the Royal Court was requested to prepare a Bill or Projet de Loi giving effect to the afore- 1926

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said resolutions and to those of the 19th May, 1926, on the subject : (4) That occasion has been taken to consolidate and co-ordinate the Laws at present in force which Article 20 of this Bill proposes to repeal, the aforesaid modifications regarding taxation being contained in Articles 4 and 11 thereof : (5) That on the 4th day of September, 1926, the Royal Court adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi relative aux Automobiles,' and requested the Bailiff to submit the same to the States for their approval : (6) That the said Bill or Projet de Loi was duly considered by the States on the 6th day of October, 1926, when a resolution was passed approving the same with certain modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (7) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition : And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the said Bill or Projet de Loi of the States of Guernsey intituled ' Loi relative aux Automobiles,' and to order and direct that the same shall have the force of law within the Island of Guernsey."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly. 1926

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

A. H. L. HARDINGE.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI RELATIVE AUX AUTOMOBILES.

Définitions

Le mot "automobile" employé dans la présente loi s'appliquera à tout véhicule circulant sur les routes, rues et chemins publics, autres que la voie ferrée, dont la force motrice sera ou pourra être en tout ou en partie, soit la vapeur, soit l'huile, soit l'électricité ou autre force mécanique.

Le mot "Conseil" signifie le Conseil Administratif des Etats.

Défense de faire circuler sans licence

1.—Il est défendu à toute personne de faire circuler un automobile sur la voie publique sans que tel automobile soit licencié aux fins de l'article 2 de cette loi sous peine d'une amende en Police Correctionnelle n'excédant pas £5 stg. ou d'emprisonnement n'excédant pas un mois.

Sont exceptés

Exceptions

(*a*) ceux qui prouveront que l'automobile qu'ils font circuler leur appartient et n'a pas été en leur possession pour au-delà de quarante-huit heures ;

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(*b*) les visiteurs dont la période de résidence n'excédera pas deux mois pourvu qu'ils fassent enregistrer leurs automobiles au bureau des Etats ;

(*c*) ceux qui auront fait enregistrer leur automobile et auront obtenu l'autorisation du Conseil ou d'autre autorité compétente suivant aux provisions d'une loi ayant rapport à la Convention Internationale relative à la circulation des Automobiles qui aura été enregistrée sur les records de cette ile.

Procédure pour obtenir licence

2.—Tout propriétaire d'automobile en cette Ile qui désire obtenir une licence pour tel automobile s'adressera au Conseil par le moyen d'une déclaration par écrit contenant tels détails qui seront de temps à autre prescrits par Ordonnance de la Cour Royale.

3.—Au reçu de telle déclaration et sur paiement par l'impétrant des droits au taux ci-après mentionné, le Conseil accordera une licence dans telle forme et sous telles conditions qui seront de temps à autre prescrites par Ordonnance de la Cour Royale.

Taux des droits

4.—Le taux des droits annuels pour les automobiles sera comme suit, savoir :—

(*a*) six chelins par chaque cent douze livres avoirdupois ou partie de cent douze livres avoirdupois pour des automobiles (autres que des motocyclettes et motocyclettes avec " side-cars ") portant des bandes pneumatiques ;

(*b*) sept chelins six pennis par chaque cent douze livres avoirdupois ou partie de cent douze livres avoirdupois pour des automobiles (autres que des motocyclettes et motocyclettes avec " side-cars ") portant sur une roue ou sur plus d'une roue des bandes autres que des bandes pneumatiques ;

Le poids de l'automobile sera son poids avec ses appareils, mécanisme et carrosserie.

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(*c*) vingt-cinq chelins pour les motocyclettes ;

(*d*) trente chelins pour les motocyclettes avec " side-car " (motor-cycle combination).

La somme percevable ne sera dans aucun cas moins d'Une livre sterling.

Pouvoir accordé aux Etats de rehausser les taux jusqu'à certains maximums

Et pourront les Etats de temps à autre, à leur discrétion, rehausser les susdites sommes aux maximums suivants, savoir :—

(1) jusqu'à dix chelins par cent douze livres avoirdupois sur les automobiles visés par la section (*a*) susdite ;

(2) jusqu'à douze chelins six pennis par cent douze livres avoirdupois sur les automobiles visés par la section (*b*) susdite ;

(3) jusqu'à quarante chelins sur les motocyclettes ;

(4) jusqu'à cinquante chelins sur les motocyclettes avec " side-cars."

Exemptions du paiement

Sont exceptés du paiement de la licence les automobiles et motocyclettes appartenant aux Départments du Gouvernement de Sa Majesté ou employés exclusivement par les dits Départements.

Renouvellement de licences

5.—Les licences seront renouvelées suivant à telles conditions qui seront prescrites de temps à autre par Ordonnance de la Cour Royale.

Application du produit des licences

6.—Le produit des licences sera appliqué à l'entretien des Voies Publiques.

Vente d'un automobile

7.—Dans le cas de la vente pendant la période de l'année pour laquelle une licence aura été octroyée d'un automobile mentionné dans telle licence, le Superviseur des Etats est autorisé à livrer à l'acheteur, sur présentation soit de la dite licence soit d'un certificat comme est ci-après mentionné, un certificat constatant la période pendant laquelle le montant de la dite licence a été payé.

Certificat à l'acheteur

Paiement pour certificat

Il sera payé au Conseil la somme de deux chelins et six pennis pour chaque certificat ainsi livré. Le dit certificat tiendra lieu de licence à l'acheteur pour le dit automobile pendant la période pour laquelle la licence aura été octroyée.

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Défense de conduire automobile sans autorisation

8.—Il est défendu à toute personne de conduire un automobile sur les voies publiques sans avoir reçu à cet effet une autorisation livrée par le Conseil ou autre autorité compétente, sous peine d'une amende en Police Correctionnelle n'excédant pas Une livre sterling, et pour toute infraction subséquente sous peine d'une amende n'excédant pas £10 sterling ou d'un emprisonnement n'excédant pas deux mois.

Appel à la Cour Royale permissible en cas de refus d'autorisation

Il sera loisible au Conseil ou à autre autorité compétente, sur la recommandation du Comité de la Police salariée de l'Ile, de refuser d'octroyer une autorisation sans donner de raison, sujet toutefois au droit de la personne qui demande telle autorisation d'en appeler à la Cour Royale siégeant en Cour ordinaire dont la décision sera finale.

Détails de l'autorisation

9.—Les autorisations seront par écrit et contiendront les noms et l'adresse de l'impétrant. Elles seront datées et signées du Superviseur des Etats ou de son préposé et seront renouvelées annuellement pendant le mois de décembre.

Autorisation de conduire motocyclette

10.—L'autorisation de conduire une motocyclette simple sera sur une forme distincte de celle de conduire soit une motocyclette avec " side-car " soit tout autre automobile et une autorisation de conduire l'une n'emportera pas le droit de conduire les autres.

Age de conduire motocyclette

L'autorisation de conduire une motocyclette simple ne sera accordée à des personnes âgées de moins de quatorze ans et celle de conduire soit une motocyclette avec " side-car " soit tout autre automobile ne sera accordée à des personnes âgées de moins de dix-sept ans.

Idem : tout autre automobile

Paiement pour autorisation

11.—Il sera payé pour chaque autorisation et chaque renouvellement la somme d'un chelin.

Registre d'autorisations

12.—Le Conseil gardera un registre des noms et des adresses des personnes auxquelles des autorisations auront été accordées.

Production d'autorisation

13.—L'Inspecteur et tout membre de la Police

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Salariée aura le droit d'exiger de toute personne conduisant un automobile la production d'une autorisation à conduire. Celui qui refusera de produire son autorisation ou à défaut d'autorisation de fournir ses noms et adresse, lorsque dûment requis à cet effet, sera passible en Police Correctionnelle d'une amende n'excédant pas £5 stg. ou d'emprisonnement n'excédant pas un mois.

Pénalité pour infraction par rapport à la circulation automobile

14.—Lorsque le conducteur d'un automobile sera condamné pour l'infraction d'une loi ou Ordonnance de la Cour Royale par rapport à la circulation sur la voie publique de l'automobile, la Cour pourra, outre la pénalité :—

Soit suspendre l'autorisation pour tel terme qu'elle trouvera à propos ;

Soit, dans le cas où le conducteur n'est pas muni d'une autorisation, juger qu'il sera disqualifié pendant un certain temps à demander une autorisation.

Endossement de sentence au bureau du Greffe

15.—Celui dont l'autorisation a été suspendue sera tenu de la produire au bureau du Greffe dans les 24 heures de la sentence, afin que la sentence y soit endossée, sous peine d'une amende n'excédant pas £5 stg.

Pénalité pour demande d'autorisation dans le terme d'interdiction, etc.

16.—Sera passible d'une amende en Police Correctionnelle n'excédant pas £5 stg. ou d'emprisonnement n'excédant pas un mois :—

(*a*) celui qui, ayant été jugé par la Cour disqualifié à demander une autorisation aux fins de l'article 13, l'aura pourtant demandée du Conseil ou d'autre autorité compétente dans le terme d'interdiction ;

(*b*) celui dont l'autorisation a été endossée qui demandera ou obtiendra du Conseil ou d'autre autorité compétente une autre autorisation, sans faire savoir au Conseil ou autre autorité compétente que son autorisation d'origine a été endossée ,

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(c) celui qui fera circuler un automobile après que son autorisation aura été suspendue ou retirée par ordre de la Cour et pendant le temps que tel ordre restera en force.

Exemptions

17.—Seront exemptés des provisions de la présente loi à l'exception des Articles 8, 13, 14, 15 et 16, ceux qui auront fait enregistrer leur automobile et auront obtenu une autorisation de conduire du Conseil ou d'autre autorité compétente suivant aux provisions d'une loi ayant rapport à la Convention Internationale, relative à la circulation des Automobiles qui aura été enregistrée sur les records de cette Ile.

Cour autorisée à passer Ordonnances

18.—Et est la Cour Royale autorisée à passer toutes et telles Ordonnances qu'elle croira nécessaires pour la mise en exécution de la présente loi.

19.—Cette loi viendra en force le premier décembre mil neuf cent vingt six.

20.—Sont et demeurent rappelées les lois suivantes:

(a) la loi relative aux automobiles sanctionnée par Ordre de Sa Majesté en Conseil en date du 14 septembre 1915 enregistré sur les records de cette Ile le 25 septembre 1915 ;

(b) la loi relative aux automobiles sanctionnée par Ordre de Sa Majesté en Conseil en date du 24 janvier 1917 enregistré sur les records de cette Ile le 7 février 1917 ;

(c) la loi relative aux automobiles sanctionnée par Ordre de Sa Majesté en Conseil en date du 27 juin 1921 enregistré sur les records de cette Ile le 16 juillet 1921.

(Enregistré sur les Records le 18 *décembre* 1926.*)*

Czecho-Slovakia (Extradition)

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en

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Order in Council, 1926

Conseil en date du 20 novembre 1926 dit " Czechoslovakia (Extradition) Order in Council 1926."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné:—

(1) Qu'un des exemplaires du dit Ordre en Conseil sera logé au Greffe pour faire partie des Records de cette île.

(2) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Séneschal de Sercq.

(Enregistré sur les Records le 18 décembre 1926.)

AT THE COURT AT BUCKINGHAM PALACE,
The 2nd day of December, 1926.
PRESENT,
THE KING'S MOST EXCELLENT MAJESTY
LORD PRESIDENT
LORD CHAMBERLAIN
SECRETARY SIR SAMUEL HOARE
HON. WALTER GUINNESS.

Rehaussement de l'Impôt sur les Essences Minérales de 1d à 2d. par gallon

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council, for the Affairs of Guernsey and Jersey, dated the 15th day of November, 1926, in the words following, viz.:—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That by an Order of Your Majesty in Council of the 9th day of October, 1919, Your Majesty was graciously pleased to sanction, *inter alia*, a duty of One penny per gallon on motor spirit (2) that in order to meet the increasing expenditure on the upkeep of the roads of the Island, the States at a meeting held on the 19th day of May, 1926, on

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the recommendation of their Finance Committee, resolved, *inter alia*, that from the 1st day of January, 1927, the duty on motor spirit be raised from One penny to Two pence per gallon, with power to raise the said duty to Four pence per gallon, at the discretion of the States, should they deem it necessary in the future. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Resolution of the States of the 19th day of May, 1926, approving the raising of the duty on motor spirit from One penny to Two pence per gallon from the 1st day of January, 1927, with power to the States to raise the said duty to Four pence per gallon, should they, in their discretion, deem it necessary in the future.

Pouvoir accordé de rehausser jusqu'à 4d. par gallon

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer thereof."

"HIS MAJESTY having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof, and to sanction the said Resolution of the States of the Island of Guernsey of the 19th day of May, 1926.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(*Enregistré sur les Records le* 29 *janvier* 1927.) 1927

AT THE COURT AT BUCKINGHAM PALACE,
The 14th day of December, 1926.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — SECRETARY SIR JOHN GILMOUR
LT.-COLONEL GEORGE GIBBS — SIR PHILIP CUNLIFFE-LISTER.

Air Navigation (Guernsey) Order, 1926

WHEREAS by the Air Navigation Act, 1920 (*a*) (in this Order referred to as the Act), power was conferred on His Majesty to make such Orders as are therein mentioned, and it was provided that any such Order may be made applicable to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and to British aircraft wherever they may be :

AND WHEREAS the Act has been registered in the Royal Court of Guernsey :

AND WHEREAS, in pursuance of the powers so conferred, His Majesty was pleased to make the Air Navigation Order, 1922, (*b*) and the Air Navigation (Amendment) Order, 1923, (*c*) extending to the whole of the British Islands :

AND WHEREAS the said Orders were superseded, except in so far as they applied to the Channel Islands, by the Air Navigation (Consolidation) Order, 1923 (*d*) and that Order has subsequently been amended by the Air Navigation (Amendment) Order 1925 (*e*) :

AND WHEREAS it is expedient that the Air Navigation (Consolidation) Order, 1923, as so amended should, with the necessary exceptions, modifications and adaptations, apply to Guernsey :

AND WHEREAS the provisions of the Rules Publication Act, 1893, (*f*) have been complied with :

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and

(*a*) 10-1 G. 5. c. 80.
(*b*) S.R. & O. 1922, No. 663.
(*c*) S.R. & O. 1923, No. 557.
(*d*) S.R. & O. 1923, No. 156.
(*e*) S.R. & O. 1925, No. 1260.
(*f*) 56-7 V. c. 66.

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it is hereby ordered, that the Air Navigation (Consolidation) Order, 1923, as so amended shall, as set out and modified in the Appendix to this Order, apply to Guernsey, and that the Air Navigation Order, 1922, and the Air Navigation (Amendment Order, 1923, so far as they apply to Guernsey, shall be revoked :

Provided that any certificate, licence, direction, permission, authorisation or rule, issued, given or made under those Orders or either of them and in force at the commencement of this Order, shall, until revoked or superseded, remain in force as though the same has been issued, given or made under this Order.

M. P. A. HANKEY.

APPENDIX.

Nationality of aircraft

1.—(1) An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

(2) Aircraft registered in Great Britain and Northern Ireland, and aircraft registered in any other part of His Majesty's dominions when in or over Guernsey, shall be deemed to be, and are in this Order referred to as, British aircraft.

Aircraft to which Order applies

2.—The provisions of this Order apply (unless the contrary intention appears) to all British aircraft and foreign aircraft when such aircraft are in or over Guernsey ; and for the purposes of liability under this Order, other than liability for want of registration, where an aircraft is not registered and by reason thereof has no nationality for the purposes of this Order, this Order shall apply to such aircraft when flying in or over Guernsey in like manner as it applies to aircraft registered in Great Britain and Northen Ireland.

General conditions of flying

3.—(1) An aircraft shall not fly unless the following general conditions are complied with :—

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(i) The aircraft shall be registered and bear the prescribed nationality and registration marks and the name and residence of the owenr affixed or painted on the aircraft in the prescribed manner ;

(ii) The aircraft shall be certified as airworthy in the prescribed manner, and any terms or conditions on or subject to which the certificate of airworthiness was granted shall be duly complied with ;

(iii) The personnel of the aircraft shall be provided with the prescribed certificates of competency and licences ;

(iv) There shall be carried in the aircraft the prescribed documents and journey log book kept up to date in the prescribed form and manner:

Provided that :—

(*a*) Conditions (i), (ii) and (iv) shall not apply to aircraft flown for the purpose of experiemnt or test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State, or an aircraft factory, or to aircraft flown in accordance with directions or special permission in writing given by the Secretary of State under this Article, and subject to any conditions or limitations which may be laid down in such directions or permission ; and

(*b*) Condition (iii) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State, in the case of personnel whilst under instruction, or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence

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(2) In this article " prescribed " means prescribed by the law of the State on whose register the aircraft is entered.

Further conditions of flying in or over Guernsey

4.—(1) Save as hereinafter expressly provided, an aircraft shall not fly in or over Guernsey unless the following further conditions are complied with :—

(i) The aircraft shall possess the nationality of a contracting State ;

(ii) The provisions of this Order as to general safety, and as to the dropping of articles from aircraft, shall be duly complied with ;

(iii) Such members of the personnel of the aircraft as are British subjects shall be provided with certificates of competency and licences issued or rendered valid by a duly competent authority within His Majesty's Dominions;

(iv) The prescribed conditions as to the maintenance of airworthiness shall be complied with, and the prescribed certificates as to airworthiness shall be carried in the aircraft;

(v) The aircraft shall conform to such orders as may be lawfully given in regard to it by officers of Customs and Excise, Guernsey Revenue and Police :

Provided that :—

(*a*) Condition (i) shall not apply to the aircraft of those States which have signed but have not ratified the Convention or of the following States, that is to say, Spain, Switzerland, Norway, Sweden, Denmark, the Netherlands, Finland, Esthonia, Latvia and Monaco or of a State with which a special convention relating to air navigation entered into by or on behalf of His Majesty is for the time being in force, so long as the conditions of the special convention are complied with ; and

(*b*) Conditions (i) and (iv) shall not apply to aircraft flown for the purpose of experiment or

test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State, or an aircraft factory, or to aircraft flown in accordance with directions or special permission in writing given by the Secretary of State under this Article, and subject to any conditions or limitations which may be laid down in such directions or permission ; and

(c) Condition (iii) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State, in the case of personnel whilst under instruction or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence.

(2) A fixed balloon shall not be flown in or over Guernsey except with the special permission in writng of the Secretary of State, and subject to any conditions that may be attached to such permission, and the Secertary of State may, on the granting of such permission or subsequently, direct that the provisions of this Order or any of them shall not apply to the balloon in question, or shall apply subject to such modifications as he thinks fit.

Further conditions applicable to passenger aircraft

5.—(1) An aircraft carrying passengers for hire or reward shall not use as a regular place of departure or landing any place in Guernsey other than a licensed aerodrome, or an aerodrome specially approved for the purpose by the Royal Court.

(2) A passenger aircraft carrying more than ten passengers and having to make a continuous flight between two points more than 310 miles apart over land, or a night flight, or a flight between two points more than 124 miles apart over sea, shall have on board a licensed navigator.

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Reference to Schedules

6.—The provisions in the Schedules to this Order shall have effect as part of this Order, and shall be duly observed by all persons concerned in the cases to which they relate, that is to say :—

Schedule.	Subject matter.
I.	Detention of unairworthy aircraft.
II.	Rules as to lights and signals and rules for air traffic.
III.	Fees.
IV.	Customs rules as to aircraft arriving in or departing from Guernsey.

Aerodromes

7.—(1) A place in Guernsey shall not be used as a regular place of landing or departure by aircraft carrying passengers for hire or reward, unless it is licensed for the purpose by the Royal Court, and any conditions of such licence are complied with.

(2) Every aerodrome which is licensed for public use or which is open to such use by British aircraft upon payment of charges shall to the same extent and upon the same conditions be open to use by aircraft possesssing the nationality of a contracting State.

(3) In every aerodrome to which the last preceding paragraph applies there shall be a single tariff of charges, including charges for landing and length of stay, applicable alike to British and foreign aircraft, and such tariff shall be in such form and on such a scale as may be directed or approved by the Royal Court, and shall be kept exhibited in a conspicuous place at the aerodrome.

(4) In the case of any contravention of or failure to comply with this article, the proprietor of the aerodrome shall be deemed to have acted in contravention of or, as the case may be, failed to comply with this Order.

(5) Paragraphs (1), (2) and (4) of this article shall not apply to Royal Air Force aerodromes or aerodromes under the control of the Secretary of State, the use of which has been sanctioned by the Secretary of State, but any directions of the Secretary of State as to the use of such aerodromes shall be complied with.

Right of inspection and access to aerodromes and factories

8.—(1) Any person authorized by the Royal Court shall have the right of access at all reasonable times to any aerodrome for the purpose of inspecting the aerodrome, and any person so authorized and any police constable shall have the right of access at all reasonable times to any place to which access is necessary for the purpose of carrying out his powers and duties under this Order.

(2) All military aircraft belonging to or employed in the service of His Majesty shall have at all reasonable times the right of access to any licensed aerodrome, subject to the conditions of the licence.

(3) During the construction of an aircraft for which a certificate of airworthiness is desired, any person authorized by the Secretary of State shall at all times during working hours, have the right of access for purposes of inspection to that portion of the shops in which parts are being manufactured or assembled, and to drawings of the parts under inspection, whether at the works of the main contractor or of sub-contractors.

General safety provisions

9. (1) An aircraft shall not fly over any town in Guernsey except at such altitude as will enable the aircraft to land outside the town should the means of propulsion fail through mechanical breakdown or other cause :

Provided that this prohibition shall not apply to any area comprised within a circle with a radius of one mile from the centre of a licensed aerodrome or of a Royal Air Force aerodrome or of an aerodrome under the control of the Secretary of State.

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(2) An aircraft in or over Guernsey shall not—

(*a*) be used to carry out any trick flying or exhibition flying over any town area or populous district or

(*b*) be used to carry out any trick flying or exhibition flying over any regatta, race meeting or meeting for public games or sports, except where specially arranged for in writing by the promoters of such regatta or meeting ; or

(*c*) be flown in such circumstances as, by reason of low altitude or proximity to persons or dwellings or for any other reason, to cause unnecessary danger to any person or property on land or water.

(3) A person shall not smoke in any aircraft registered in Great Britain and Northern Ireland wherever such aircraft may be, or in any other aircraft when in or over Guernsey.

Power to prevent flights in contravention of Order

10. Where it appears to any person authorized in writing by the Royal Court for the purposes of this article that any aircraft is intended or likely to be flown in such circumstances that the flight would be in contravention of any of the provisions of sub-paragraphs (i), (ii) and (iii) of paragraph (1) of article 3, or sub-paragraph (i) of paragraph (1) of article 4 or article 18 of this Order, or in such circumstances as to infringe any other provision of this Order and to be a cause of danger to persons in the aircraft or to persons or property on the ground, the person so authorized may give such directions, and take such steps by way of detention of the aircraft or otherwise in relation thereto, as appear to him to be necessary in order to prevent the flight, and, without prejudice to any provisions of this Order with respect to the obstruction of authorized persons, any person acting in contravention of any directions given under this article shall be deemed to have acted in contravention of this Order.

Drunkenness of pilots, etc.

11. A person acting as, or carried in an aircraft for the purpose of acting as, pilot, commander, navigator, engineer, or operative member of the crew thereof, shall not, while so acting or carried, be in a state of intoxication or in a state in which, by reason of his having taken or used any sedative narcotic or stimulant drug or preparation, his capacity so to act is impaired, and no other person while in a state of intoxication shall enter to be in any aircraft.

Dropping of articles from aircraft

12. A person shall not drop or cause or permit to be dropped from an aircraft flying within Guernsey any article except—

(1) ballast as permitted by paragraph 35 of Schedule II to this Order ;

(2) articles dropped in accordance with directions issued by the Secretary of State ;

and if any article other than as aforesaid drops or falls from any aircraft, a contravention of this Order shall be deemed to have been committed.

Instruments, etc., to be carried by British aircraft

13. There shall be carried and maintained in working order in every British aircraft registered in Great Britain and Northern Ireland, when flying, such instruments and equipment applicable to the class or description of the aircraft as may be prescribed, and any directions of the Secretary of State as to the manner in which, and the persons by whom any particular instruments or equipment are to be used shall be complied with as if they were contained in this Order.

Power to prescribe conditions as to wireless telegraphy

14. (1) The Secretary of State may give directions prescribing the conditions in which British aircraft registered in Great Britain and Northern Ireland shall, when flying,

(i) carry wireless telegraphy apparatus ; and

(ii) carry certified operators ; and

(iii) maintain wireless telegraphy service ;

and such directions may prescribe the character of the apparatus, the number and qualifications of the operators and the nature of the service, and when any

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such directions have been given they shall be complied with in the case of any aircraft to which they apply as if contained in this Order.

(2) In this Article the expression "certified operator" means an operator who is the holder of a licence and certificate of proficiency in radio-telegraphy granted by the Postmaster-General.

(3) Nothing in this Article shall exempt any person from the requirements of the Wireless Telegraphy Act, 1904 (*a*) as to the issue of licences by the Postmaster-General.

Documents to be carried by British aircraft

15.—(1) Save as hereinbefore expressly provided, every British aircraft registered in Great Britain and Northern Ireland shall carry the following documents when flying :—

(*a*) its certificate of registration ;

(*b*) its certificate of airworthiness, and any other certificate relating to the aircraft, which may be required by this Order ;

(*c*) the certificates of competency and licences of its personnel ;

(*d*) the journey log book ;

(*e*) any licence to use wireless apparatus in the aircraft which may have been issued by the Postmaster-General.

(2) Every such aircraft engaged in international navigation shall, in addition, carry the following documents :—

(*a*) if it carries passengers, a list of their names ;

(*b*) if it carries freight, bills of lading and manifest in respect thereof.

Certificate of airworthiness

16. The certificate of airworthiness of aircraft of a Contracting State, shall be kept at all times in the pocket of the journey log book.

Production of documents for inspection

17.—(1) Any person required under this Order to be provided with a licence shall on demand produce his licence, and, in the case of a pilot, his pilot's log

(*a*) 4. E. 7. c 24.

book for the inspection of any person authorized for the purpose by the Royal Court or of any police constable.

(2) The owner, hirer and person in charge of any aircraft shall on demand produce or cause to be produced, for the inspection of any person authorized for the purpose by the Royal Court or of any police constable, any certificates, licenses or log books relating to the aircraft, and, in the case of an aircraft engaged in international navigation if it carries passengers or freight, the list of names and the bills of lading and manifest respectively.

Prohibited Carriage

18. Save for the purpose of the provisions of Schedule II to this Order as to signals—

(i) an aircraft engaged in international navigation shall not carry explosives of war, arms of war, or munitions of war ;

(ii) a foreign aircraft shall not carry explosives of war, arms of war, or munitions of war between any two points within British territory, either or both of which is within Guernsey.

Aerial lighthouses

19.—(1) An aerial lighthouse shall not be established or maintained within Guernsey, nor the character of the light exhibited therefrom altered, except with the approval of the Secretary of State, and subject to such conditions as he may prescribe ;

Provided that, in the case of an aerial lighthouse the light from which would or might be visible from the sea or from any waters over which a general lighthouse authority exercises jurisdiction, such approval shall not be given except with the consent of the general lighthouse authority.

(2) A person shall not wilfully or negligently injure or interfere with any aerial lighthouse established or maintained with the approval of the Secretary of State or any light exhibited from any such lighthouse.

False lights

20.—(1) Whenever in Guernsey any light is exhibited,

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(*a*) in the neighbourhood of an aerodrome or an aerial lighthouse so as to be liable to be mistaken for a light proceeding from an aerial lighthouse or for a prescribed light at an aerodrome ; or

(*b*) which by reason of its liability of being mistaken for a light proceeding from an aerial lighthouse or for a prescribed light at an aerodrome is calculated to endanger the safety of aircraft ;

the Royal Court may serve a notice upon the owner of the place where the light is exhibited or upon the person having charge of the light, directing that owner or person within a reasonable time to be specified in the notice, to take effectual means for extinguishing or for effectually screening the light and for preventing for the future the exhibition of any similar light.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) If any owner or person on whom a notice is served under this article fails, without reasonable cause, to comply with the directions contained in the notice, he shall be deemed to have failed to comply with this Order.

(4) If any owner or person on whom a notice under this article is served, neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the Royal Court may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage, and may recover the expenses incurred by him in so doing from the owner or person on whom the notice has been served.

(5) In the case of lights which would or might be visible from the sea or waters over which a general lighthouse authority exercises jurisdiction, the powers

of the Royal Court under this article shall not be exercised except with the consent of the general lighthouse authority.

Use of siguals, signs and marks

21.—(1) In making or receiving signals by wireless telegraphy or other methods of communication, except by visual signals when the Morse Code is not being used, every aircraft possessing the nationality of a Contracting State shall use as its call sign at the beginning and end of each communication the complete group of five letters which constitutes its nationality and registration marks :

Provided that nothing in this paragraph shall affect the special rules as to signals laid down in Section II of Schedule II to this Order.

(2) A person in an aircraft shall not make any signal prescribed by this Order except for the purposes specified therein, and shall not knowingly make, without lawful authority or excuse (proof whereof shall lie on the accused), any naval, military or air-force signal.

(3) An aircraft other than a State aircraft shall not bear any mark or sign used or appropriated for use by State aircraft.

Aerial corridors and arrival and departure from abroad

22.—(1) The Secretary of State may prescribe points between which aircraft when entering Guernsey from abroad or leaving Guernsey for abroad shall pass.

(2) If such points are for the time being so prescribed, no aircraft shall enter Guernsey from abroad, or leave Guernsey for abroad, except between such points :

Provided that—

(*a*) if an aircraft is compelled by accident, stress of weather, or unavoidable cause, to enter Guernsey from abroad elsewhere than between such points it shall land at the Customs aerodrome in Guernsey nearest to its route ; and

(*b*) if it is so compelled to land as aforesaid before reaching such aerodrome the procedure laid

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down in paragraph 18 of Schedule IV to this Order shall be followed.

4 & 5 Geo. 5. c. 12. 9 & 10 Geo. 5 c. 92.

(3) Any provisions for the time being in force of the Aliens Restriction Acts, 1914 and 1919, or of any Orders made thereunder, or of the law relating to the admission and registration of aliens sanctioned by Order of His Majesty in Council registered on the Records of the island of Guernsey on the 29th of July, 1922, as amended by the law registered on the said Records on the 16th of February, 1924, with respect to persons arriving in or departing from Guernsey by sea shall apply to persons arriving or departing by air as if the same were herein set out, with such modifications as are necessary for adapting them to such purpose.

Forgery, &c., of documents

23.—(1) A person shall not—

(*a*) forge or fraduulently alter or assist in forging or fraudulently altering, or procure to be forged or fraudulently altered, any licence or certificate required under this Order ; or

(*b*) make, assist in making, or procure to be made any false representation for the purpose of procuring for himself or any other person the issue, validation, or renewal of any such licence or certificate ; or

(*c*) fraudulently use any such licence or certificate which has been forged, altered, cancelled, or suspended, or to which he is not entitled ; or

(*d*) fraudulently lend any such licence or certificate or allow it to be used by any other person.

(2) A person shall not destroy, mutilate, alter, or render illegible any log book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

Application to foreign military aircraft

24. A foreign military aircraft shall not fly over or land in Guernsey except on the express invitation or with the express permission of His Majesty or of a

Government Department, but any aircraft so flying or landing on such invitation or with such permission shall be exempt from the provisions of this Order except to such extent as may be specified in the invitation or permission : 1927

Provided that no such invitation or permission shall be necessary in the case of foreign military aircraft accompanying vessels of war visiting Guernsey so long as the flight or landing is necessary in connection with the arrival of the aircraft in or their departure from Guernsey, and such aircraft shall while so accompanying vessels of war as aforesaid be exempt from the provisions of this Order.

Exceptions to operation of Order

25.—(1) Except where otherwise expressly stated, this Order applies to aircraft belonging to or employed in the service of His Majesty, other than military aircraft, but does not apply to any aircraft or to any person if and to such extent as such aircraft or persons may be excepted from this Order by direction of the Secretary of State on the recommendation of a Government Department.

(2) The Secretary of State may, by a special and temporary authorisation, and subject to such conditions as may be specified, permit the flight within the limits of Guernsey of an aircraft which does not possess the nationality of a Contracting State or of a State to which proviso (*a*) to paragraph (1) of article 4 of this Order applies :

Provided that an aircraft the flight of which is so permitted as aforesaid shall while flying within the said limits carry a certificate issued either by the Secretary of State or by the competent authority in the State whose nationality the aircraft possesses, stating that permission has been granted and the conditions, if any, subject to which it has been granted.

Penalties

26.—(1) If an aircraft flies in contravention of, or fails to comply with, this Order or any provision thereof, or if in or in respect of any aircraft any act is

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committed which is or is deemed to be a contravention of this Order or any provision thereof, the owner or hirer of the aircraft (if other than the Crown) and the pilot or commander thereof shall be deemed to have contravened or, as the case may be, failed to comply with this Order :

Provided that—

(*a*) it shall be a defence to any proceedings for such contravention of, or failure to comply with this Order if the contravention or failure is proved to have been due to stress of weather or other unavoidable cause ; and

(*b*) it shall be a defence to any proceedings under this Order against the owner, hirer, pilot or commander of an aircraft to prove that the alleged contravention took place without his actual fault or privity.

(2) If any person obstructs or impedes any person acting under the authority of the Secretary of State in the exercise of his powers and duties under this Order, or under the authority of the Royal Court in the exercise of its powers and duties under this Order, such first-mentioned person shall be deemed to have acted in contravention of this Order.

(3) If any person contravenes or fails to comply with this Order or any provision thereof, he shall be liable, on conviction before the magistrate, to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds, or to both such imprisonment and fine.

(4) If any aircraft enters Guernsey in contravention of this Order, and if, after signals referred to in paragraph 19 of Schedule II of this Order have been given by, or by the direction of, a commissioned officer in His Majesty's Naval, Military, or Air Forces, the aircraft fails to respond thereto by immediately giving the signal referred to in paragraph 17 of Schedule II of this Order and landing as soon as possible, the

officer may fire at or into such aircraft, and use any and every other means necessary to compel compliance, and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing. 1927

Power to cancel, suspend, or endorse licences and certificates

27.—(1) The licence of any aerodrome may be cancelled, suspended or endorsed by the Royal Court on sufficient ground being shown to its satisfaction, after due inquiry, and its decision shall be final; and in special cases the Royal Court may suspend any such licence temporarily and provisionally pending the holding of an inquiry.

(2) Where any person is convicted of any contravention of or failure to comply with this Order in respect of any aircraft the Secretary of State may cancel or suspend any certificate of registration granted under this Order relating to that aircraft.

(3) The Royal Court may require the holder of any aerodrome licence granted under this Order (or any person having the possession or custody of any such licence) to surrender the same to it for cancellation, suspension, or endorsement, in accordance with the provisions of this Order; and any person failing to comply with any such requirements within a reasonable time shall be deemed to have failed to comply with this Order.

Application of accidsnt regulations to Crown aircraft

28.—Any regulations made under section 12 of the Act, for the investigation of accidents, shall, to such extent, if any, as may be specified in those regulations apply to aircraft belonging to or exclusively employed in the service of His Majesty.

Directions by the Secretary of State

29.—The Secretary of State may issue such directions as he thinks fit for the purpose of giving full effect to the provisions of this Order, including the Schedules thereto.

Any directions which have been or may be issued by the Secretary of State for the purpose of giving

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full effect to the Air Navigation (Consolidation) Order, 1923, or any Order amending or replacing the same, and are for the time being in force thereunder, shall, except where a contrary intention is expressed, be deemed to be in force under this Order.

Interpretation

30.—(1) In this Order, unless the context otherwise requires—

"The Convention" means the Convention for determining by a common agreement certain uniform rules with respect to international air navigation signed on behalf of His Majesty in Paris on the thirteenth day of October, 1919 ;

"The protocol" means the additional protocol to the Convention aforesaid which was signed on behalf of His Majesty in Paris, and dated the first day of May, 1920.

"Aircraft" includes all balloons, whether fixed or free, kites, airships, and flying machines ;

"Airship" means an aircraft using gas lighter than air as a means of support, and having means of propulsion ;

"Balloon," either fixed or free, means an aircraft using gas lighter than air as a means of support and having no means of propulsion ;

"Flying machine" includes all aeroplanes, seaplanes, flying boats, or other aircraft heavier than air and having means of propulsion ;

"Military aircraft" includes naval, military, and air-force aircraft ; and every aircraft commanded by a person in naval, military or air-force service detailed for the purpose shall be deemed to be a military aircraft ;

"State aircraft" means military aircraft and aircraft exclusively employed in State service, including postal, customs and police service ;

"Passenger aircraft" and "goods aircraft" mean respectively aircraft intended for carrying passengers or goods for hire or reward, and include

respectively aircraft in which passengers or goods are actually so carried ; 1927

" Personnel " (in relation to an aircraft) includes the pilot, commander, navigator, and engineer, and any operative member of the crew ;

" Goods " includes mails ;

" Wireless telegraphy " has the same meaning as in the Wireless Telegraphy Act, 1904.

" Aerodrome " means any definite and limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft ;

" Proprietor of an aerodrome " includes any person responsible for the management thereof ;

" Licensed aerodrome " means an aerodrome licensed under this Order.;

" Prescribed " (except where otherwise expressly provided) means prescribed by this Order or by directions of the Secretary of State thereunder ;

" Contracting State " means any State which is for the time being a party to the Convention, and this Order shall apply to aircraft possessing the nationality of a State in respect of which a derogation to His Majesty in respect of Great Britain and Northern Ireland has been granted under the Protocol as it applies to aircraft possessing the nationality of a contracting State ;

" Secretary of State " includes, in relation to any purpose of this Order, any person authorized by the Secretary of State for that purpose, and references to a person authorized by the Secretary of State include references to the holder for the time being of any office designated by the Secretary of State ;

" Royal Court " means the Royal Court of Guernsey and includes in relation to any purpose of this Order any person authorised by the Royal Court for that purpose ;

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"Under way," in relation to an airship, means when it is not made fast to the ground or any object on land or water;

(2) In this Order—

References to Guernsey include references to the whole Bailiwick of Guernsey and to the territorial waters adjacent thereto; and

References to passengers carried for hire or reward include references to persons carried in aircraft for the purposes of instruction in flying for which payment is made.

52 & 53 Vict. c. 63.

(3) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

Printing of Order

31.—(1) Where by any Order in Council for the time being in force any articles or words are directed to be added to or omitted from this Order, or to be substituted for any other articles or words in this Order, then copies of this Order printed under the authority of His Majesty's Stationery Office, after such direction takes effect, may be printed with the articles or words added or omitted or substitnted for other articles or words added or omitted or substituted for other articles or words as such direction requires and with the articles and paragraphs thereof numbered in accordance with such direction, and this Order shall be construed as if it had at the time when such direction takes effect been made with such addition, omission or substitution.

(2) A reference in any document to this Order or to any provisions thereof shall, unless the context otherwise requires, be construed as referring to this Order as amended by any Order in Council for the time being in force.

Saving

32.—Nothing in this Order shall be construed as conferring any right to land in any place as against

the owner of the land or other persons interested therein, or as prejudicing the rights or remedies of any person in respect of any injury to persons or property caused by an aircraft.

Short Title and commencement

33.—(1) This Order may be cited as the Air Navigation (Guernsey) Order, 1926.

(2) This Order shall come into operation on the first day of January, 1927.

SCHEDULES.

Schedule I.

DETENTION OF UNAIRWORTHY AIRCRAFT.

Schedule I.

1.—If the Secretary of State has reason to believe, on complaint or otherwise, that a passenger or goods aircraft within Guernsey is intended or is about to proceed on any flight while in a condition unfit for flight, he may give such directions and take such steps, by way of provisional detention of the aircraft or otherwise in relation thereto, as may be necessary for the purpose of causing the aircraft to be inspected by authorized representatives of the Secretary of State and may, upon the result of such inspection, cause the aircraft to be detained until the execution of such alterations or repairs as he may consider necessary to render the aircraft fit for flight.

2.—For the purpose of this Schedule "Secretary of State" includes Royal Court.

Schedule II.

RULES AS TO LIGHTS AND SIGNALS AND RULES FOR AIR TRAFFIC.

Section I.

Rules as to Lights.

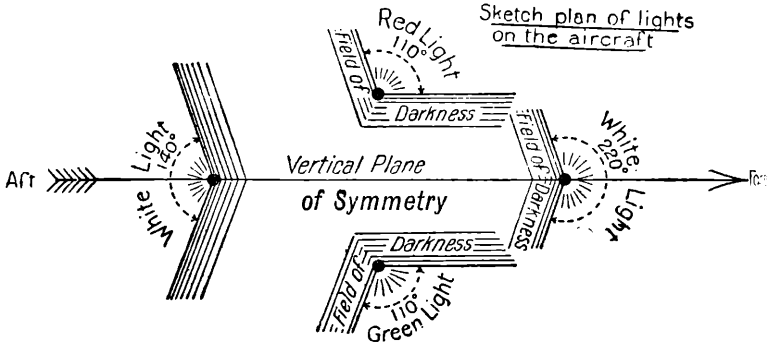
Schedule II.

The word "visible" in these rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

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The angular limits laid down in these rules as shown in the sketch (attached) shall be determined when the aircraft if in its normal attitude for flying on a rectilinear horizontal course.

SKETCH PLAN OF LIGHTS ON AIRCRAFT.



1.—The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited. The prescribed navigation lights shall not be dazzling.

2.—A flying machine, when in the air or manœuvring on land or water under its own power, shall carry the following lights :—

(*a*) Forward, a white light visible in a dihedral angle of 220 degrees bisected by a vertical plane through the line of flight, and of such a character as to be visible at a distance of at least 5 miles.

(*b*) On the right side, a green light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the right from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.

(*c*) On the left side, a red light so constructed and fixed as to show an unbroken light between

two vertical planes whose dihedral angle is 110 degrees when measured to the left from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.

(*d*) The said green and red lights shall be fitted so that the green light shall not be seen from the left side, nor the red light from the right side.

(*e*) At the rear, and as far aft as possible, a white light shining rearwards and visible in a dihedral angle of 140 degrees bisected by a vertical plane through the line of flight and of such a character as to be visible at a distance of at least 3 miles.

(*f*) In the case where, in order to fulfil the above conditions, a single light has to be replaced by several lights, the field of visibility of each of these lights should be so limited that only one can be seen at a time.

3.—The rules hereinbefore set out for the lighting of flying machines shall apply to airships subject to the following modifications :—

(*a*) All lights shall be doubled, the forward and aft lights vertically, and the side lights horizontally in a fore and aft direction.

(*b*) Both lights of each pair forward and aft shall be visible at the same time.

The distance between the lights comprising a pair shall not be less than 6 feet.

4.—An airship, when being towed, shall carry the lights specified in paragraph 3, and, in addition, those specified in paragraph 6 of this Schedule for airships not under control.

5.—(*a*) A flying machine, or airship, when on the surface of the water, and when not under control, that is to say, not able to manœuvre as required by the Regulations for the Prevention of Collisions at Sea, shall carry two red lights not less than 6 feet apart one over the other, and visible in all directions at a distance of at least 2 miles.

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(*b*) Aircraft to which this paragraph applies, when not making way through the water, shall not carry the side lights, but when making way shall carry them.

6.—An airship which from any cause is not under control, or which has voluntarily stopped her engines, shall, in addition to the other specified lights, display conspicuously two red lights, one over the other, not less than 6 feet apart, and visible in all directions, at a distance of at least 2 miles.

By day an airship, when being towed, and which from any cause is not under control, shall display conspicuously two black balls or shapes, each 2 feet in diameter, placed one over the other not less than 6 feet apart.

An airship moored, or under way but having voluntarily stopped its engines, shall display conspicuously by day a black ball or shape, 2 feet in diameter, and shall be treated by other aircraft as being not under control.

7.—A free balloon shall carry one bright white light below the car at a distance of not less than 16 feet and visible in all directions at a distance of at least 2 miles.

8.—A fixed balloon shall carry in the same position as the white light mentioned in paragraph 7 of this Schedule, and in lieu of that light, three lights in a vertical line, one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be visible in all directions at a distance of at least 2 miles.

In addition, the mooring cable shall have attached to it at intervals of 1,000 feet, measured from the basket, groups of three lights similar to those mentioned in the preceding paragraph.

In addition, the object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.

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By day the mooring cable shall carry in the same position as the groups of lights aforesaid, and in lieu thereof, tubular streamers not less than 8 inches in diameter and 6 feet in length, and marked with alternate bands of white and red, 18 inches in width.

9.—An airship when moored near the ground shall carry the lights specified in paragraphs 2 (*a*) and (*e*) and 3 of this Schedule.

In addition, if moored but not near the ground, the airship, the mooring cable, and the object to which moored, shall be marked in accordance with the provisions of paragraph 8 of this Schedule, whether by day or by night.

Sea anchors or drogues used by airships for mooring purposes at sea are exempt from this regulation.

10.—A flying machine stationary upon the land or water but not anchored or moored shall carry the lights specified in paragraph 2 of this Schedule.

11.—In order to prevent collisions with surface craft :—

(*a*) A flying machine when at anchor or moored on the water shall carry forward, where it can best be seen, a white light, visible in all directions at a distance of at least 1 mile.

(*b*) A flying machine of 150 feet or upwards in length, when at anchor or moored on the water, shall, in the forward part of the flying machine, carry one such light, and at or near the stern of the flying machine, and at a height that it shall not be less than 20 feet lower than the forward light, another such light.

The length of a flying machine shall be deemed to be the overall length.

(*c*) Flying machines of 150 feet or upwards in span, when at anchor or moored in the water, shall in addition carry at each lower wing tip one light as specified in (*a*) of this paragraph.

The span of a flying machine shall be deemed to be the maximum lateral dimension.

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12.—In the event of the failure at night of any of the lights specified under these rules to be carried by aircraft, such aircraft shall land as soon as it can do so without danger.

13.—Nothing in these rules shall interfere with the operation of any special rules made by any State with respect to the additional station or signal lights for military aircraft, or for aircraft in formation, or with the exhibition of recognition signals adopted by owners of aircraft which have been authorized by their respective Governments and duly registered and published.

SECTION II.

Rules as to Signals.

14.—(*a*) An aircraft wishing to land at night on an aerodrome having a ground control shall, before landing, fire a green pyrotechnical light or flash a green lamp intermittently. In addition, it shall make by international Morse code the letter group forming its call-sign.

(*b*) Permission to land will be given by the same call-sign from the ground, followed by a green pyrotechnical light, or flashing a green lamp intermittently.

15.—The firing of a red pyrotechnical light or the display of a red flare from the ground shall be taken as an instruction that aircraft are not to land.

16.—An aircraft compelled to land at night shall before landing fire a red pryotechnical light or make a series of short and intermittent flashes with its navigation lights.

17.—When an aircraft is in distress and requires assistance, the following shall be the signals of distress to be used or displayed, either together or separately :—

(*a*) The international signal, S O S, by means of visual or wireless signals ;

(*b*) The international code flag signal of distress, indicated by N C ;

(*c*) The distant signal, consisting of a square flag having either above or below it a ball, or any thing resembling a ball ;

(*d*) A continuous sound with any sound apparatus;

(*e*) A signal, consisting of a succession of white pyrotechnical lights fired at short intervals.

18.—To warn an aircraft that it is in the vicinity of a prohibited area and should change its course, the following signals shall be used :—

(*a*) By day : three projectiles discharged at intervals of 10 seconds, showing, on bursting, white smoke, the location of the burst indicating the direction the aircraft should follow.

(*b*) By night : three projectiles discharged at intervals of 10 seconds, showing, on bursting, white lights or stars, the location of the burst indicating the direction the aircraft should follow.

19.—To require an aircraft to land, the following signals shall be used :—

(*a*) By day : three projectiles discharged at intervals of 10 seconds, showing on bursting black or yellow smoke.

(*b*) By night : three projectiles discharged at intervals of 10 seconds, showing on bursting green lights or stars.

In addition, when necessary to prevent the landing of aircraft other than the one ordered, a searchlight which shall be flashed intermittently shall be directed towards the aircraft whose landing is required.

20.—(*a*) In the event of fog or mist rendering aerodromes invisible, their presence may be indicated by a balloon acting as an aerial buoy and/or other approved means.

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(*b*) In fog, mist, falling snow or heavy rainstorm, whether by day or night, an aircraft on the water shall make the following sound signals :—

(1) If not anchored or moored, a sound at intervals of not more than two minutes, consisting of two blasts of about five seconds duration with an interval of about one second between them.

(2) If at anchor or moored, the rapid ringing of an efficient bell or gong for about five seconds at intervals of not more than one minute.

SECTION III.

General Rules for Air Traffic.

21.—Flying machines shall always give way to balloons, fixed or free, and to airships. Airships shall always give way to balloons, whether fixed or free.

22.—An airship, when not under its own control, shall be classed as a free balloon.

23.—Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing and angle of elevation of an approaching aircraft. If neither the bearing nor the angle of elevation appreciably change, such risk shall be deemed to exist.

24.—The term " risk of collision " shall include all risk of accident due to undue proximity of other aircraft. Every aircraft that is required by these rules to give way to another to avoid collision shall keep a safe distance, having regard to the circumstances of the case.

25.—While observing the rules regarding risk of collision contained in paragraph 24 of this Schedule, a motor-driven aircraft must always manœuvre according to the rules contained in the following paragraphs as soon as it is apparent that, if it pur-

sued its course, it would pass at a distance of less than 200 yards from any part of another aircraft. 1927

26.—When two motor-driven aircraft are meeting end on, or nearly end on, each shall alter its course to the right.

27.—When two motor-driven aircraft are on courses which cross, the aircraft which has the other on its own right side shall keep out of the way of the other.

28.—An aircraft overtaking another shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by diving.

Every aircraft coming up with another aircraft from any directon more than 110 degrees from ahead of the latter, *i.e.*, in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft and no subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from the other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

29.—Where by any of these rules one of the two aircraft is to keep out of the way, the other shall keep its course and speed. When, in consequence of thick weather or other causes, the aircraft having the right of way finds itself so close that collision cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.

30.—Every aircraft which is directed by these rules to keep out of the way of another aircraft shall,

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if the circumstances of the case admit, avoid crossing ahead of the other.

31.—In following an officially recognised air route every aircraft, when it is safe and practicable, shall keep to the right side of such route.

32.—All aircraft on land or sea about to ascend shall not attempt to take off until there is no risk of collision with alighting aircraft.

33.—Every aircraft in a cloud, fog, mist, or other conditions of bad visibility shall proceed with caution, having careful regard to the existing circumstances.

34.—In conforming with these rules, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

SECTION IV.

Ballast.

35.—The dropping of ballast other than fine sand or water from aircraft in the air is prohibited.

SECTION V.

Special Rules for Air Traffic on and in the vicinity of Aerodromes.

36.—At every aerodrome if a flying machine about to land or leave finds it necessary to make a circuit or partial circuit, such circuit or partial circuit shall, except in case of distress, be left-handed (anti-clockwise).

37.—When a flying machine starts from an aerodrome it shall not turn until 500 yards distant from the nearest point of the aerodrome, and the turning must then conform with the regulations provided in the preceding paragraph.

38.—Every flying machine flying at a distance of

between 500 and 3,500 yards from the nearest point of the perimeter of an aerodrome shall conform to the flying rules laid down in paragraphs 36 and 37 of this Schedule unless it is flying at a greater height than 6,000 feet.

39.—Acrobatic landings are prohibed at aerodromes of contracting states used for international aerial traffic. Flying machines are prohibited from engaging in aerial acrobatics in the vicinity of these aerodromes at a distance of less than 4,000 yards from the nearest point of the perimeter of the aerodrome unless they are flying at a greater height than 6,000 feet.

40.—At every licensed aerodrome the direction of the wind shall be clearly indicated by one or more of the recognised methods, *e.g.*, landing tee, conical streamer, smudge fire, &c.

41.—Every flying machine when taking off from or alighting on an aerodrome used for international air traffic shall do so upwind, except when the natural conditions of the aerodrome do not permit.

42.—In the case of two flying machines approaching an aerodrome for the purpose of landing, the flying machine flying at the greater height shall be responsible for avoiding the flying machine at the lower height and shall as regards landing observe the rules of paragraph 28 of this Schedule for passing.

43.—Flying machines showing signals of distress shall be given free way in attempting to make a landing on an aerodrome.

44.—No flying machine shall commence to take off until the preceding flying machine is clear of the aerodrome.

45.—No fixed balloon, kite, or moored airship shall be elevated in the vicinity of any aerodrome without a special authorisation, except in the cases provided for in paragraph 20 of this Schedule.

46.—Suitable markings shall be placed on all fixed

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obstacles dangerous to flying within a zone of 500 yards of all aerodromes.

SECTION VI.

General.

47.—Every aircraft manœuvring under its own power on the water shall conform to the Regulations for Preventing Collisions at Sea, and for the purposes of these regulations shall be deemed to be a steam-vessel, but shall carry the lights specified in the preceding rules, and not those specified for steam-vessels in the Regulations for Preventing Collisions at Sea, and shall not use, except as specified in paragraphs 17 and 20 of this Schedule, or be deemed to hear the sound signals specified in the above-mentioned Regulations.

48.—Nothing in the above rules shall exonerate any aircraft, or the owner, pilot or crew thereof from the consequences of any neglect in the use of lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.

49.—Nothing in the above provisions shall interfere with the operation of any special rule or rules approved by the Secretary of State and published relative to navigation of aircraft in the immediate vicinity of any aerodrome or other place, and it shall be obligatory on all owners, pilots, or crews of aircraft to obey such rules.

Schedule III.

FEES.

Schedule III.

1.—The fees to be charged on the issue and renewal

of a licence for an aerodrome shall be fixed by the Royal Court subject to the approval of the Secretary of State and until such fees are so fixed the amount to be charged, whether on issue or renewal, shall be £10 when inspection of the aerodrome is required and £1 when such inspection is not required. 1927

2.—A fee of 5s. shall be charged for the issue of a duplicate licence when the original is lost or destroyed.

3.—An application for a licence or for the renewal of a licence shall be accompanied by a remittance to cover all the fees payable for the issue or renewal as the case may be, but when in any case the licence is not issued or renewed, the Royal Court may refund to the applicant such proportion of the sum paid as represents any investigation, calculation, inspection, test or examination which has not been carried out as a result of the application.

Schedule IV.

CUSTOMS RULES AS TO AIRCRAFT ARRIVING IN OR DEPARTING FROM GUERNSEY.

Schedule IV.

1.—For purposes of this Schedule :—

" Board " means Board of Administration of the States of Guernsey.

" States Customs Officer " means an officer of Customs duly appointed by and acting under the authority and direction of the Board.

" Examination Station " means a space at a Customs aerodrome approved by the Board as an examination station.

" Pilot " includes person in charge.

Customs Aerodromes.

2.—The Secretary of State may, subject to the concurrence of the Board and to such conditions as

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to security and otherwise as he thinks fit, by directions approve aerodromes as " Customs Aerodromes," for purposes of the Laws and Ordinances relating to Customs and remove aerodromes from the list of Customs Aerodromes.

Arrival at and Departure from Guernsey.

3.—An aircraft entering Guernsey shall not land at any place except at a Customs Aerodrome.

Provided that this paragraph shall not apply where an aircraft is compelled to land before arriving at a Customs Aerodrome owing to accident, stress of weather, or unavoidable cause, in which event the procedure laid down in paragraph 18 of this Schedule shall be followed.

4.—No aircraft shall fly to a place outside Guernsey unless its place of final departure is a Customs Aerodrome.

5.—(1) No person in any aircraft entering Guernsey shall carry or allow to be carried in the aircraft any goods the importation of which is prohibited by the laws and ordinances of Guernsey.

(2) No person in any aircraft entering Guernsey shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by a Revenue Officer at the aerodrome from which he departed for Guernsey.

6.—An aircraft shall not enter or leave Guernsey having any secret or disguised place adapted for concealing goods.

Arrival in Guernsey.

7.—The pilot of an aircraft arriving at a Customs Aerodrome in Guernsey shall on landing forthwith take his aircraft to the examination station at that aerodrome.

Provided that a pilot shall not be deemed to have contravened or failed to comply with this rule if he

proves that circumstances over which he had no control prevented him from taking his aircraft to the examination station, and that after the reports required by paragraph 8 of this Schedule had been duly made by him, all goods carried in the said aircraft were removed to the examination station in the presence of a States Customs Officer.

8.—Upon arrival of an aircraft at a Customs Aerodrome in Guernsey when such arrival shall be between the hours of 7 a.m. and 5 p.m., and not later than 9 o'clock in the morning after arrival at any other time the pilot shall—

(*a*) make a report to the Officer of His Majesty's Customs and Excise in Guernsey and to a States Customs Officer respectively in the form prescribed by the Board, and

(*b*) truly furnish the several particulars required by such form, and

(*c*) deliver to the States Customs Officer with such report his journey log book, the manifest and declaration of the goods on board his aircraft signed by the proper Revenue Officer at the aerodrome from which he departed for Guernsey and

(*d*) land at the examination station for examination of baggage all passengers carried in such aircraft, and, after making such reports, shall produce, and, if required to do so, shall land, all goods in such aircraft for examination.

Departure from Guernsey.

9.—(1) The pilot of every aircraft about to proceed direct to any place outside Guernsey shall deliver to the Officer of His Majesty's Customs and Excise in Guernsey a notice of departure in the form prescribed by the Board and such form when signed by such Officer shall be the clearance and authority for the aircraft to proceed to its intended destination.

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The pilot shall also deliver to a States Customs Officer—

(*a*) a notice of departure with a list containing the names of passengers and also, if the aircraft carries goods, a manifest and declaration in the form prescribed by the Board, in which shall be truly stated the particulars required by such form, and

(*b*) the journey log book belonging to the aircraft.

(2) A pilot shall not depart in any such aircraft from Guernsey until he has delivered such notice and particulars and log book, and has obtained the authority to proceed mentioned in paragraph 9 (1) above, and after having obtained such authority he shall not call at any other place in Guernsey before proceeding to his destination.

Importation, Entry and Unloading of Goods.

10.—A person importing goods in an aircraft shall not bring the goods into any place in Guernsey other than a Customs Aerodrome or unload the goods from any aircraft except at the Examination Station (unless such goods are unloaded in the presence of a States Customs Officer under the provision of paragraph 7 of this Schedule) and shall not unload the goods except between such hours as the Board prescribe, or remove the goods from an examination station unless the goods have first been duly entered in manner provided by these rules and produced to a States Customs Officer and duly cleared by him.

11.—A person shall not remove from any aircraft any goods imported therein until the reports required by paragraph 8 of this Schedule have been made, and the authority of a States Customs Officer has been obtained.

12.—The importer of any dutiable goods imported in aircraft shall deliver to a States Customs Officer an entry of such goods in accordance with the provisions

of the laws and ordinances relating to the importation of such goods, and shall truly furnish thereon the several particulars required by the form of entry, and shall pay to a States Customs Officer all duties chargeable thereon at the times and in the manner prescribed by the said laws and ordinances.

Provided that no entry shall be required in respect of the baggage of passengers.

13.—All goods imported into a Customs Aerodrome in Guernsey in any aircraft shall be duly entered and unladen within forty-eight hours from the time of the arrival of such aircraft at the aerodrome or within such period as the Board may allow.

14.—All goods imported in aircraft which have not been examined and cleared by a States Customs Officer shall be stored at or near the Examination Station, and no person shall remove such goods before examination and clearance by such officer.

Exportation of Goods.

15.—The exporter of any dutiable goods intended for exportation in aircraft and on which a rebate of duty is claimed shall observe the provisions of the laws and ordinances in force from time to time relating to the exportation of such dutiable goods.

16.—A person shall not without the consent of a States Customs Officer unload from any aircraft any goods loaded therein for exportation which have been cleared for exportation, or open, alter or break any lock, mark or seal placed by any States Customs Officer on any goods in any aircraft about to depart from Guernsey.

General Provisions.

17.—If any States Customs Officer in the execution of his duty boards any aircraft in any place, the pilot thereof shall not convey him in the aircraft away from such place without his consent.

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18.—If any aircraft arriving from a place outside Guernsey shall land in any place other than a Customs Aerodrome, the pilot shall forthwith report to a States Customs Officer or Police Constable, and shall on demand produce to such officer or police constable the journey log book belonging to the aircraft, and shall not allow any goods to be unloaded therefrom without the consent of a States Customs Officer and no passenger thereof shall leave the immediate vicinity without the consent of a States Customs Officer or Police Constable.

19.—(1)—The proprietor of any aerodrome shall at all times permit any States Customs Officer to enter and inspect the aerodrome and all buildings and goods therein.

(2)—The pilot of any aircraft shall permit any States Customs Officer at any time to board and inspect his aircraft, and any goods laden therein, and every such officer shall have the right of access at any time to any place to which access is necessary for the purpose of such inspection.

(3)—The importer or exporter of any goods imported or exported in an aircraft shall on demand produce such goods to a States Customs Officer at the Examination Station, and permit him to inspect such goods.

20.—The provisions of the laws and ordinances relating to Customs and Dues leviable on goods imported and to mails and persons arriving in Guernsey, shall, so far as they are applicable and except as they are modified by this Schedule, apply to aircraft and to goods, mails and persons carried in or landed from them as they apply to ships and to goods, mails and persons carried in or landed from ships.

ORDRES EN CONSEIL.

(*Enregistré sur les Records le* 12 *mars* 1927.)

Treaty of Commerce and Navigation between the United Kingdom and Greece and accompanying Declaration

Monsieur le Baillif ayant ce jour communiqué à la Cour une lettre de Monsieur l'Agissant Lieutenant-Gouverneur en date du 11 mars courant transmettant copie d'un traité intitulé " Treaty of Commerce and Navigation between the United Kingdom and Greece, and accompanying Declaration."

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que le dit traité sera enregistré sur les Records de cette Ile par être logé au Greffe et qu'une copie sera transmise par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le* 9 *avril* 1927.)

Wireless Telegraphy (Blind Persons Facilities) Act, 1926

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 22 mars 1927, transmettant des exemplaires de l'Acte du Parlement suivant, savoir :—

" 16 & 17 George V, Chapter 54, The Wireless Telegraphy (Blind Persons Facilities) Act, 1926."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné :—

1.—Que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile.

2.—Qu'un des exemplaires du dit Acte du Parlement sera enregistré sur les dits Records par être logé au Greffe.

3.—Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

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(*Enregistré sur les Records le 9 avril* 1927.)

AT THE COURT AT BUCKINGHAM PALACE,
The 22nd day of March, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD PRIVY SEAL
MASTER OF THE HORSE
SECRETARY SIR SAMUEL HOARE
LIEUTENANT-COLONEL WILFRED ASHLEY,

Loi ayant rapport à l'Importation, l'Exportation la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses 1926, supplémentaire à la Loi à ce sujet, 1924.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 4th day of March, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That by an Order of Your Majesty in Council of the 16th day of April, 1924, registered on the Records of this Island on the 14th day of June, 1924, Your Majesty was graciously pleased to sanction a Bill or Projet de Loi intituled 'Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses.' (2) That in order to bring the law into conformity with recent English legislation on the subject, the Royal Court, on the 19th day of October, 1926, adopted a Bill or Projet de Loi prepared by the Law Officers of the Crown, intituled 'Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses (1926) supplémentaire à la Loi à ce sujet (1924)'; (3) That at a meeting of the States of Deliberation held on the 10th day of November, 1926, a resolution was adopted approving the said Projet de Loi and authorising the President to submit a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (4) That

Alderney having already its own legislation on this subject, the States of that Island are preparing a Bill for submission to Your Majesty on the lines of that submitted herewith, but as circumstances would render it impossible to provide therein for a professional tribunal such as is provided in Article 4 of the Guernsey Bill, a resolution has been passed by the States of Alderney on the suggestion of the Royal Court asking, so far as they are concerned, for the application of that article to the Bailiwick. ; (5) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition. And most humbly praying that Your Majesty will be graciously pleased to approve the Bill or Projet de Loi intituled ' Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et autres Drogues Dangereuses (1926) supplémentaire à la Loi à ce sujet (1924),' and to order and direct that the same shall have the force of Law within the Island of Guernsey, and further that Article 4 thereof shall have the force of Law within the Bailiwick of Guernsey.' 1927

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased by and with the advice of His Privy Council to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey, and that Article 4 thereof shall have the force of Law within the Bailiwick of the said Island.

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AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À L'IMPORTATION, L'EXPORTATION, LA MANUFACTURE, LA VENTE ET L'EMPLOI D'OPIUM ET AUTRES DROGUES DANGEREUSES (1926), SUPPLEMENTAIRE A LA LOI À CE SUJET (1924).

Les amendements et additions suivants sont portés aux règlements contenus dans la Cédule D annexée à la loi à ce sujet sanctionnée par Ordre de Sa Majesté en Conseil en date du 16 avril 1924, enregistré sur les Records de cette Ile le 14 juin 1924, et les additions seront censées former partie de la dite Cédule.

Prescriptions

1.—The first paragraph of Regulation 5 under the heading "Conditions as to giving and dispensing of prescriptions," shall be amended and shall take effect as if :—

Amendment to 1st para of Regulation 5, 1924 Order in Council.

(*a*) for the words "the total amount of the drug to be supplied on the prescription" were substituted the words "the total amount of the morphine, cocaine, ecgonine or diamorphine or

salt thereof, to be supplied on the prescription except that in the case of a preparation which is contained in the British Pharmacopœia, the British Pharmaceutical Codex or the Drug Tariff issued by the Minister of Health for National Health Insurance purposes and which is not combined with any other preparation of any of the drugs not so contained, it shall be sufficient to state the total amount of the preparation to be supplied."

(*b*) at the end of the above paragraph were inserted the following new paragraph :—

Additional para.

A prescription shall only be given by a registered Medical practitioner entitled to practise in the Island when required for purposes of medical treatment.

Possession. Amendement to Regulation 7.

2.—Regulation 7 under the heading " Possession " shall be amended and shall take effect as if the following proviso were added to paragraph (*d*) of the regulation :—

Proviso added.

Provided that the last foregoing provision shall not apply to any drug supplied to a person for his use by a Medical practitioner or in accordance with a prescription if that person was at the time of the supply in course of receiving treatment from a Medical practitioner in respect of addiction to the drugs or otherwise, and of being supplied with any of the drugs by or on a prescription given by that last-mentioned practitioner, and did not disclose that fact to the first-mentioned practitioner before the drug was supplied to him.

Register of drugs purchased to be kept by Medical Practitioners Dentists and Veterinary Surgeons.

3.—Every duly qualified Medical practitioner, Dentist and Veterinary Surgeon, authorised to practise in the Island, shall, if not already required to do so in pursuance of Regulation 9 of Schedule D, enter or cause to be entered in a register kept for the sole purpose in respect of each supply of each of the drugs

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purchased or otherwise obtained by him, the particulars shown in Schedule I (*a*) attached to Schedule D.

Medical Practitioners supplying, administering, or prescribing drugs otherwise than for medical treatment. Cases referred to a Tribunal, &c.

4.—If the Board is of opinion that there is reason to think that a duly qualified Medical practitioner may be supplying, administering or prescribing any of the drugs either to or for himself or to or for other persons otherwise than as required for purposes of medical treatment, the Board may refer the case to a tribunal constituted in the manner described in the Schedule to this law for examination and consideration, and if the tribunal so recommend, the Board may, by notice in the Guernsey Gazette and in the London or Edinburgh Gazette withdraw the authorisation of such practitioner to be in possession of or to supply the drugs and may direct that the exception in Regulation 4 of Schedule D in respect of drugs lawfully dispensed in pursuance of a prescription given by a Medical man authorised by the law to practise shall not apply in respect of prescriptions given by such practitioner as aforesaid.

This Article applicable to the Bailiwick.

This Article shall apply to the Bailiwick of Guernsey.

Amendment to Regulation 12.

5.—Regulation 12 shall be amended and shall take effect as if at the end were added the following sentence :—

> " Where such person is a duly qualified Medical practitioner, Dentist or Veterinary Surgeon, the Board may also, by notice given in the like manner, direct that the exception in Regulation 4 in respect of drugs lawfully dispensed in pursuance of a prescription given by a duly qualified Medical practitioner, Dentist or Veterinary Surgeon, shall not apply in respect of prescriptions given by such practitioner, Dentist or Veterinary Surgeon as aforesaid."

6.—A Medical practitioner, Dentist or Veterinary Surgeon shall not give any prescription for the supply

of any drugs if a direction has been given in pursuance of Regulation 4 or Regulation 5 of this law that the exception in Regulation 4 of the said Schedule D is not to apply in respect of prescriptions given by such practitioner, Dentist or Veterinary Surgeon.

Drugs to be kept in a locked receptacle.

7.—Every person authorised in pursuance of Regulation 10 to carry on the business of manufacturing, selling or distributing the drugs shall keep the same in a locked receptacle of which the key shall be kept by himself or a qualified Assistant.

Penalties.

8.—Any person acting in contravention of this law or of any of the regulations therein contained shall be liable to the penalties imposed by Article VI of the law on this subject (1924).

SCHEDULE.

Constitution of Tribunal.

The tribunal shall consist of three Medical practitioners resident in the Island on the register of the General Medical Council, two of whom shall be appointed by the Royal Court and the remaining one by the British Medical Association, together with a legal Assessor appointed also by the Royal Court.

(Enregistré sur les Records le 9 avril 1927.)

(Auregny) Salaire de l'Immigration Officer.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 22 mars, 1927, approuvant et ordonnant que la somme de Dix Livres Sterling, le salaire de l'Immigration Officier à Auregny, sera prise annuellement du revenu de l'Impôt de la dite Ile :—

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile et qu'un extrait des Registres sera expedié à Monsieur le Juge d'Auregny, afin d'être enregistré sur les Records de la dite Ile.

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(Enregistré sur les Records le 25 avril 1927.)

Merchant Shipping (International Labour Conventions) Act, 1925.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 22 mars 1927, transmettant des exemplaires de l'Acte de Parlement suivant, savoir :—

"15 & 16 George V, Chapter 42. "The Merchant Shipping (International Labour Conventions) Act, 1925."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi a ordonné :—

1.—Que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile.

2.—Qu'un des exemplaires du dit Acte de Parlement sera enregistré sur les Records par être logé au Greffe.

(Enregistré sur les Records le 25 avril 1927.)

Dispositions du Merchant Shipping (International Labour Conventions) Act, 1925, s'appliqueront aux navires enregistrés dans l'île.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 22 mars 1927 ordonnant que les provisions de l'Acte de Parlement dit "Merchant Shipping (International Labour Conventions) Act, 1925" s'appliqueront aux navires enregistrés en cette Ile.

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi a ordonné que le dit Ordre dénommé "Merchant Shipping (Guernsey) Order 1927" sera enregistré sur les Records de cette Ile.

(Enregistré sur les Records le 7 mai 1927).

AT THE COURT AT WINDSOR CASTLE,
The 22nd day of April, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD STAMFORDHAM,
LORD SOUTHBOROUGH,
SECRETARY SIR W. JOYNSON-HICKS.

Loi ayant rapport à la Fourniture d'Eau par les

WHEREAS there was this day read at the Board a

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Etats de cette Ile aux habitants de la dite Ile.

Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 12th day of April, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That for reasons set forth in the preamble thereof, the Royal Court, at a meeting held on the 21st November, 1925, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled 'Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile,' and requested the Bailiff to submit the same to the States for their approval ; (2) That, on the 13th day of January, 1926, the said Bill was submitted to the States when certain sections were modified, and the President was requested to re-submit the Bill to the States in its modified form ; (3) That on the 19th day of May, 1926, a Petition signed by several owners of properties bordering streams in the Island praying for a modification of Article 4 of the Bill with a view of amending the same by stating what rights shall be recognised without proof, was submitted to the States, when the Water Board was requested to reconsider the provisions of the aforesaid Article, having regard to the petition of the riparian owners. (4) That on the 10th day of November, the 1st day of December, 1926, and the 4th day of April, 1927, the amended Bill was again submitted to the States, when it was finally approved and the President was authorised to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (5) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your

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Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile,' and to order and direct that the same shall have the force of Law within the Island of Guernsey.

" THE LORDS OF THE COMMITTEE in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey the Bailiff and Jurats, and all other His Majesty's Officers for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1927

"LOI AYANT RAPPORT À LA FOURNITURE D'EAU PAR LES ÉTATS DE CETTE ILE AUX HABITANTS DE LA DITE ILE."

Attendu qu'en vertu de la délibération des Etats de cette Ile en date du 20 février 1920, les dits Etats furent d'avis d'acquérir et ont depuis cette date acquis la propriété et l'entreprise de la Société dite "The Guernsey Water Company Limited" dans le but de continuer la fourniture d'eau aux habitants de cette Ile à la place de la dite Société. Préambule.

Attendu que par la délibération des Etats en date du 3 novembre 1920, les Etats ont nommé un Conseil et ont accordé au dit Conseil des pouvoirs administratifs pour le contrôle et l'administration de la dite fourniture d'eau.

Attendu qu'il est expédient de faire des règlements pour déterminer les devoirs et obligations des Etats et des personnes auxquelles l'eau est fournie, les articles suivants rédigés en Anglais auront force de loi en cette Ile.

1.—The States Water Board acting for the States of Guernsey (hereinafter called "the Board") shall supply for domestic or other purposes spring water, water from streams or other sources. The water, when supplied for domestic uses, shall be pure and wholesome. Analyses of the water shall be made by the States Analyst at the expense of the Board at least once a month, and analyses may also be made by the Medical Officer of Health at his discretion. Water supply by the States Water Board. Analyses.

2.—The Officials and employees of the Board shall have power (provided they give reasonable notice of their intention so to do, to the proprietors and occupiers of land and other premises and do no damage thereto) to enter upon such lands and premises as are considered by the Board suitable for Power given to officials to enter upon lands and premises considered suitable by the Board.

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the purposes of the Board, in order to take levels, gauge the quantity of water flowing in a stream bed, and take observations for the obtaining of accurate data, with the object of ascertaining whether it is in the interest of the Board to acquire such lands and premises, and any person who shall wilfully obstruct the officials and employees of the Board acting under its authority in doing any of the above acts shall be liable to a fine not exceeding £5.

Well drying in consequence of the workings of the Board.

3.—In the event of a well being dried in consequence of the workings of the Board, the Board shall furnish to the person prejudiced by the drying of such well, water by measure or otherwise, and upon the following terms :—

Such person shall pay half the rates current for the time being to cover the cost of pumping and supplying under pressure ; such person shall also pay rent to the Board for the meter.

The Board shall supply, fix, and keep in repair the meter at their own cost.

Provided always, that if the water shall return to the well so dried, the Board shall be entitled to discontinue the supply, or to charge the ordinary rate therefor. The Board shall have the right to visit any such well between the hours of nine in the morning and five in the afternoon for the purpose of testing the quantity of water in it.

Any stream may be taken over and controlled by the Board.

4.—Any stream which is needed by the Board for the supply of water to the inhabitants of the Island may be taken over for control by the Board. A stream so controlled is hereinafter referred to as a controlled stream. The Board shall give due notice in the public Press of the island of every stream or part of stream so taken over, and where such stream or part of stream is accessible from any public way a board containing the said notice shall be affixed and maintained.

Person diverting,

Any person who shall, after a stream has been so

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damming or taking water from a controlled stream.

taken over by the Board, divert, dam or take otherwise than by dipping or for the supply of live-stock, the water of such controlled stream or the water supplying or flowing into the same or shall do any act whereby such stream or supplies of water shall be drawn off or diminished in quantity, and who, on being required so to do by the Board, shall not immediately repair the injury done so as to restore the waters and premises to the state in which they were before such act, shall be liable to a fine not exceeding five pounds for every day during which the said supply of water shall be diverted or diminished by reason of any such act done by or by the authority of such person, and any fine so inflicted shall be in addition to the sum which he may be adjudged liable under civil proceedings to pay to the Board for any damage which they may sustain by reason of their supply of water being diminished ; and the payment of the fine shall not bar or affect the right of the Board to take such legal proceedings in damages against such person for the injury so committed.

Penalties.

Proviso regarding rights of proprietors of properties crossed by controlled streams.

Provided always that nothing in this law shall prevent the proprietors of properties across which such streams flow and other persons having rights thereto from exercising their rights to use of water therefrom.

Contamination of controlled streams—power of Constables and M.O.H.

5.—(1)—The Constables in their respective parishes, a representative of the Board vested with an authority in writing from the Board, and the Medical Officer of Health, shall be at liberty at reasonable hours to visit the whole or any part of the course or the neighbourhood of the course of a controlled stream and its tributaries to ascertain whether there is any contamination of the water of such stream.

(2)—Where it is found that a drain, cesspool, latrine, disused well, pigsty, stable or manure pit, or any impurity or industrial process or product thereof in the neighbourhood of a controlled stream

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or tributary thereof exists in such a manner as to contaminate the water thereof—hereinafter referred to as a source of contamination—the Constables of the parish in which the premises are situated, upon the request of the President or Vice-President of the Board, shall, by notice in writing, order the proprietor or occupier of these premises, or both, immediately to take such steps as may be necessary to prevent the contamination of the stream. Should the Constables refuse or neglect within 48 hours of the receipt of the request as aforesaid from the President or Vice-President of the Board to send the necessary order, the Board shall be at liberty to send such order to the proprietor or occupier, or to both. Should the proprietor or occupier fail to comply with the order sent by the Constables or the Board within the time indicated in such order, the Constables or Board may take legal proceedings against such proprietor or occupier, or against both for an order of the Court directing the completion of the necessary work or alterations within such time and under such penalty as the Court may therein prescribe.

Prevention of Contamination—Expenses

(3)—Where it is necessary in order to prevent the contamination of such stream, to demolish or change the position of a source of contamination then existing, or to change the existing system of drainage from a dwelling house, or other building, the expenses of such demolition or alteration shall be paid by the Board in full or in part, as agreed between the parties, or as may be ordered by the Court.

(4)—Where the Court is called upon to decide an action under section (2) of this article, and is of opinion that, in order to prevent contamination of the stream, it is necessary to demolish or to change the position of a source of contamination, or to change the system of drainage of a dwelling-house or other building, the Court may order that the expenses of such work be paid in full or in part by the Board.

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(5)—Every proprietor or occupier of property who intends to erect or establish upon such property within 100 feet of any controlled stream, or tributary thereof, a dwelling-house or other structure, installation, work or process which in its use may become a source of contamination, shall, before commencing the work, notify the Board through the intermediary of the Constables of the parish in which such property is situated, so as to ensure that no impurity therefrom shall enter such stream or tributary.

Notification to the Board of proposed erection of dwelling-house or other structure within 100 feet of a controlled stream.

The proprietor or occupier shall comply with any directions as to construction and arrangement as may be given by the Board under a penalty of £10 and the demolition of the building at the discretion of the Court.

(6) Any person who shall—

(*a*) throw or cause to be thrown into a controlled stream or tributary thereof any filth, or other unwholesome matter ; or

(*b*) contaminate or pollute in any manner such stream or tributary ; or

(*c*) allow any contaminating liquid to flow into such stream or tributary ; or

(*d*) bathe in any reservoir, aqueduct or waterworks belonging to the Board, or wash, throw, or cause to enter therein any animal or carcase; or

(*e*) throw any rubbish, dirt, filth, or other unwholsesome thing into any such reservoir, aqueduct, or other waterworks as aforesaid, or wash or cleanse any cloth, wool, leather, or skin of any animal, or any clothes, or other thing therein ; or

(*f*) cause the water of any sink, sewer, or drain, steam engine boiler, or other filthy water to run or be brought into any reservoir, aqueduct, or other waterworks belonging to the Board, or shall do any other act whereby the water of the Board shall be fouled ; or

Penalty for contamination of controlled streams.

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(*g*) infringe any of the sections of this article or shall resist or interfere with the Constables, representatives of the Board or the Medical Officer of Health whilst in the execution of their duties ;

shall be guilty of an offence and shall be liable to a fine which shall not exceed £5 and for any subsequent offence to a fine which shall not exceed £10.

Powers of the Board regarding laying, repairing, altering or removing pipes, &c., under the streets, roads or lanes.

6.—The Board under such superintendence and under such conditions as may be imposed by the States Public Thoroughfares Committee, may open and break up the soil and pavement of the various streets, roads, or lanes within the Island, and may open and break up any sewers, drains, or tunnels within or under such streets, roads, or lanes and lay down and place within the same limits, pipes, conduits, service pipes and other works and engines, and from time to time repair, alter or remove the same, and for the purpose aforesaid remove and use all earth and materials in and under such streets, roads, or lanes and may do all other acts which the Board shall from time to time deem necessary for supplying water to the inhabitants of the Island, doing as little damage as can be in the execution of the powers herein granted, and making compensation for any damage which may be done in the execution of such powers.

7.—Nothing herein contained shall authorise or empower the Board to lay down or place any pipe, conduit, service pipe, or other work in any land not appropriated to public use, without the consent of the owners and occupiers thereof, except that the Board may at any time enter upon and lay or place any new pipe in the place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed and may repair or alter any pipes so laid down.

Notice to be given by the

8.—Before the Board open or break up any public

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way, sewer, drain, or tunnel, they shall give at least seven days' previous notice in writing to the President of the States Public Thoroughfares Committee of their intention of so doing. Provided always that in case of urgency the work may be commenced on giving a shorter notice or without giving any notice. In such latter case, however, notice shall be given as soon as possible after the commencement of the work.

Board to President of Public Thoroughfares Committee of their intention of opening up any public way, &c.

9.—On a joint requisition to the Board from the owners or occupiers of two or more properties to extend or lay and fix pipes and apparatus for the purpose of affording a supply of water to such properties accompanied by an undertaking in writng given by such owners or occupiers guaranteeing for three years the payment to the Board in quarterly payments of the water rents payable in respect of the properties, or of an annual sum equal to the tenth part of the work of extending, providing, laying and fixing such pipes and apparatus, whichever shall be the greater, the Board shall lay and fix the said pipes and apparatus and furnish water as requested. In the event of the Board neglecting during three months to lay the pipes and supply the water as so requested, the Board shall be liable to pay to each proprietor or occupier a sum equal to the water rate which such proprietor or occupier would have been obliged to pay in conformity with his undertaking. The Board shall be further liable to a penalty of forty shillings for each day after completion and testing of the necessary connections during which they shall fail to supply water.

Two or more owners or occupiers may request the Board to lay pipes for a water service.

Conditions as to payment.

Penalty in the event of the Board neglecting to lay pipes as requested.

Provided always that the Board shall not be liable for any penalty if the supply of water fail or be prevented in consequence of frost, or during strikes or necessary repairs, or from any other inevitable cause or accident.

Proviso.

10.—The Board, at the request of the Parochial Authorities, or of the States shall fix proper fire-

Fire hydrants.

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hydrants in the mains and other pipes belonging to them at such places as may be most proper and convenient for the supply of water for extinguishing any fire. The Board shall keep in effective order such fire-hydrants. The cost of such fire-hydrants and the expense of fixing, placing, maintaining in repair and keeping the same accessible, shall be defrayed by the Parochial Authorities, or the States as the case may be.

Fire hydrants for manufactories or any works.

11.—The Board shall, at the request and expense of the owner or occupier of any works or manufactory situated on any public way in which there shall be a water pipe, place and maintain in effective order a fire-hydrant (to be used only for extinguishing fires) as near as conveniently may be to such work or manufactory. The Board shall provide and keep constantly laid on, unless prevented by frost, or during necessary repairs, or from any other unavoidable cause or inevitable accident, a sufficient supply of water.

Water for cleansing sewers, drains, public sanitary conveniences and for watering the streets.

12.—In all the pipes to which any public fire-hydrant shall be fixed, the Board shall provide and keep constantly laid on, unless prevented by frost or during necessary repairs, or from any other unavoidable cause or inevitable accident, a sufficient supply of water for the following purposes, that is to say :—for cleansing the sewers and drains and public sanitary conveniences, for cleansing and watering the streets, and such supply shall be provided by measure at the minimum rate.

Rent of meters.

The usual rent of meters according to size shall be paid to the Board, who shall provide and keep such meters in good repair.

Water for extinguishing fires shall be supplied free.

13—Water may be taken from the fire-hydrants for the purpose of extinguishing fires without making any payment for the same.

Water rate for domestic purposes.

14.—The Board shall at the request of the owner or occupier of any property in any street, road or

public place in which any water pipe of the Board shall be laid, furnish to such owner or occupier or other persons a sufficient supply of water for their domestic uses at the rates per annum hereinafter specified, viz.:—

At a rate per centum per annum not exceeding £6 5s. 0d. on the letting value according to the General Cadastre of the Island, of the premises supplied. In addition to the foregoing charge the Board shall charge for any fixed ordinary bath 13s. 4d. per annum.

Rate for other purposes.

15.—The rates mentioned in the preceding article shall not apply in the case of water supplied for cattle, or for horses, or for washing vehicles, or a supply for any trade, manufacture or business, or for watering gardens, or for fountains, or for any ornamental purposes, or for the use or purpose of a hotel, boarding-house, hospital, workhouse, school, lunatic asylum or public institution, the rates for which purposes are provided for in article 17.

Position of taps or standpipes.

In all cases where a constant supply of water is provided, taps available for drawing water for drinking or cooking purposes shall, as far as possible, be supplied from the supply pipe, and not from any cistern.

No consumer's tap or standpipe shall be fixed in any courtyard, public thoroughfare, common staircase, or outside any premises without special permission from the Board. If in the opinion of the Board any such tap or standpipe shall directly or indirectly conduce to, or be used so as to cause waste or misuse of the water, such tap or standpipe shall be removed by the consumer within 14 days of the receipt by him of an order to the effect from the Board.

Separate pipes for each house.

16.—The Board may, if they think fit, require that a separate pipe be laid into each house supplied by them with water.

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Water rate by measure.

17.—The Board shall supply by measure, or on an agreed rate, water for other than domestic purposes at such rates and upon such terms and conditions as shall be agreed upon between the Board and the persons desirous of having such supply of water, provided that water supplied by measure, or on an agreed rate, shall not be used for domestic purposes. If by measure the price per thousand gallons shall not exceed 2s. for the first 50,000 gallons in any one quarter and 1s. 4d. per one thousand gallons for the excess over 50,000 gallons in any one quarter, with the following minimum charge per quarter :—

½in. supply	£0	10	0
¾in. supply	0	15	0
1in. supply	1	0	0
Over 1in. supply	2	0	0

18.—The Board shall not be compelled to supply with water otherwise than by measure, any building used as a dwelling-house whereof any part is used for any business, manufacturing or other like purpose for which water is required, or where there is a greenhouse adjoining, which is used for the purpose of any trade.

Unlawful use of water.

19.—Any person using for other than domestic purposes any water supplied by the Board for domestic purposes, and not having previously agreed with them for a supply of water for other than domestic purposes, or using for any purpose other than that for which the water is supplied by the Board for the purpose agreed, or failing to notify the Board of any waste occasioned through defective fittings in or upon the premises occupied by such person, shall be liable to pay to the Board such sum as the Court shall judge expedient for each day on which the offence has been committed, and in addition to a fine not exceeding £5 for such offence unless in the case of waste as aforesaid, he shall satisfy the Court that such waste occurred without his knowledge.

Waste.

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Penalty for contravention of this law.

20.—Where any person supplied by the Board with water wilfully does or causes to be done, anything in contravention of any of the provisions of this law, or wilfully omits to do anything which under those provisions ought to be done for the prevention of waste, misuse, or undue consumption of the water of the Board, the Board may turn off the water supplied by them to such person, and cease to supply such person with water until the cause of injury is remedied. The Board also may recover from such person damages for any loss or injury which they may have sustained by reason of such act or wilful omission.

Repair of pipes, &c.

21.—The Board may repair any pipe, cock, cistern or other apparatus, so that waste of water therefrom may be prevented, and the expenses of such repair shall be repaid to them by the persons so allowing the same to be out of repair.

Meters.

22.—It shall be lawful for the Board to provide and fix a meter in any house or premises for the purpose of testing for or checking waste, and the undue consumption of water, and to keep such meter in repair.

Inspection of meters.

23.—The Inspector or other Officers of the Board may, between the hours of ten a.m. and four p.m. enter into any house, building or premises in which their meters shall be affixed in order to inspect the meters and the works connected therewith for the purpose of ascertaining the quantity of water consumed or supplied as well as the state and condition of such meters and works, and it shall be lawful for the Board by their officers or servants from time to time between the hours aforesaid to enter any house, building and premises for the purpose of removing and carrying away any such meter, pipes, fittings or other works the property of the Board.

24.—The Inspector or any other person acting under the authority of the Board may, between the

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hours of ten a.m. and four p.m. enter into any premises supplied with water by the Board to examine if the pipes, ball or stop-cocks, or other necessary apparatus, are provided and are in good repair, or if the water be properly drawn off, or if there be any waste, misuse, or undue consumption of such water, and if such Inspector or other person at any such time be refused admittance into such premises, for the purposes mentioned in this or the preceding article or be prevented from making such examination as aforesaid, the Board shall have the right to cut off the water from such house or buildings.

Every person acting as aforesaid with the authority of the Board shall, when required to do so, produce his authority so as to be easily recognised as being an employee of the Board.

Cost of supplying pipes.

25.—The cost of supplying pipes and accessories for use on any property shall be borne by the proprietor or occupier as the case may be, who shall also keep the same in order at his expense. The cost of meters, as also the expense of maintaining them, shall be paid by the Board, but the Board shall be entitled to charge rent for the meters.

Cost of meters.

Provision of and fixing service pipes.

26.—The Board shall provide and fix at its own expense the service pipes as far as the outside boundary of the property to be supplied by it, provided that the length of such pipes shall not exceed 50 feet and their internal diameter three-quarters of an inch. Any excess over 50 feet, or in the cost of service pipes and fitting above three-quarters of an inch (internal diameter) laid down by the Board at the request of a consumer, shall be at his expense. A stop-cock and service-box shall be fixed by the Board outside each such property, at the expense of the consumer.

When rates payable.

27.—The rates shall be paid by quarterly payments at Lady Day, Midsummer Day, Michaelmas Day and Christmas Day, and the charge shall be

made from the time when the pipe by which the water is supplied is made to communicate with the pipes of the Board. 1927

28.—If any person supplied with water by the Board or liable to pay the water rate neglect to pay such water rate within 14 days after the same shall have become due and demanded, the Board may stop the supply of water into the premises in respect of which such rate is payable by cutting off the pipe to such premises, or may enter such premises for the purpose of cutting off the supply to the same. The Board shall be entitled to recover not only the water rate but the expenses incurred in cutting off the water. Neglect to pay rate.

29.—The proprietor of a dwelling house occupied in separate tenements shall be liable for the payment of the rates instead of the occupiers thereof; and the powers and provisions herein or in this law contained for the recovery of rates from occupiers shall be construed to apply to the owners of such houses and tenements. Tenement houses.

30.—The Board may make bye-laws for the purpose of preventing waste, undue consumption, misuse, or contamination of water, and may by such bye-laws prescribe the size, nature, materials, workmanship and strength, and mode of arrangement, connection, disconnection, alteration and repair of the pipes, meters, cocks, ferrules, valves, soil pipes from water closets, baths, tanks, cisterns, and other apparatus to be used, and forbid any materials or any arrangements and the use of any water fitting which may tend to waste or cause undue consumption, misuse, erroneous measurement, or contamination; provided always that such bye-laws shall not have any force or effect until the same shall have received the sanction of the Royal Court. It shall be lawful for the Board from time to time, with such sanction as aforesaid, to repeal, amend, re-enact and make fresh bye-laws. Power of Board to make bye-laws.

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Notice from a consumer of discontinuance of a supply of water.

31.—A notice to the Board from a consumer for the discontinuance of a supply of water shall not be valid unless it be in writing and be signed by the consumer giving up the supply, and be left at or sent by post to the office of the Board. Such notice shall be given one calendar month at least before quarter day, in default of which the consumer shall be liable for the payment of the rate for the quarter next ensuing.

Penalty on proprietors allowing any person having no right to take water from pipes supplied by the Board.

32.—Every proprietor or occupier of a house or building who shall allow any person who has no right thereto to take water from the cistern or pipes placed in such premises and supplied by the Board (except in case of fire, or unless such person being a consumer is deprived of supply through no fault of his own) shall be liable to a penalty not exceeding £5.

Unlawful taking of water from any reservoir, &c. belonging to the Board.

33.—Any person, not being supplied with water by the Board who shall unlawfully take or use any water from any reservoir, water course, conduit, cistern or pipe belonging to the Board, or from any pipe leading to or from such reservoir, water course, conduit or pipe, or from any cistern or other like place containing water belonging to the Board or supplied by it, shall be liable to a fine not exceeding £5.

Public fountains.

34.—The Board may contract for the supply of water for drinking purposes, to be consumed "in situ" only, at any public fountain or drinking trough, and any person using such public fountain or drinking trough for any other purpose, or in any other manner than as aforesaid, shall be liable to a fine not exceeding £5.

Wilful damage.

35.—Any person who shall wilfully break or injure any lock, engine, pump, cock, valve, pipe or other fitting under control of the Board, or who shall wilfully flush or draw off water from the reservoirs or other works of the Board or commit damage

to such reservoirs or works, or shall do any other wilful act whereby water shall be wasted or the supply thereof be interrupted, shall be liable under conviction to a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment.

36.—The sum due to the Board for the water supplied by them shall be paid by, and recoverable from the person requiring or receiving, or using the supply of water.

Several houses or tenements supplied by one common pipe.

37.—When several houses or tenements, or parts of houses or tenements, are in the separate occupation of several persons, who are supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been supplied with water from the works of the Board by a separate pipe.

Quarries.

38.—Nothing in this law shall affect the right of proprietors or occupiers of lands or quarries from laying pipes or constructing drains or water courses for the purpose of drawing off water from such land or quarries; provided always that the water so drawn off shall in no case be sold.

Privilege to lay pipes for water supply.

39.—The privilege or power to lay pipes for the purpose of a public water supply shall not be granted to any other person, provided always that this limitation shall not affect the laying of pipes for the supply of water by others than the Board in such districts and during such period as a supply of water from the Board mains is not available, or the rights of others to supply water to the public where such rights existed prior to the operation of this law.

Fines.

40.—The fines inflicted under this present law, where it is not otherwise provided, shall be applied half to His Majesty and half to the informer.

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Law of 1887 repealed.

41.—The law relating to the undertaking of works necessary to furnish water to the inhabitants of this Island, sanctioned by Order of Her late Majesty in Council, dated November 28th, 1887, registered on the Records of this Island on December 17th, 1887, and the law relating to the extension of the undertaking of the necessary works for furnishing water to the inhabitants of this Island, sanctioned by Order of Her late Majesty in Council, dated December 12th, 1891, registered on the Records of this Island on December 28th, 1891, are hereby repealed.

(Enregistré sur les Records le 4 juin 1927.)

AT THE COURT AT BUCKINGHAM PALACE,
The 13th day of May, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD CHAMBERLAIN
SECRETARY SIR JOHN GILMOUR — MR. BRIDGEMAN

Loi relative à l'entretien des Enfants Illégitimes, 1927.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 10th day of May, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That a law intituled 'Loi relative à l'Entretien des Enfants Illégitimes' was sanctioned by an Order of Her late Majesty Queen Victoria in Council dated the 29th day of February, 1868; (2) That for the better administration of justice it has been deemed desirable to introduce a new law based on the English Acts 1872-1873; (3) That, accordingly, the Royal Court, at a sitting held on the 20th day of January, 1926, adopted a Bill or Projet de Loi

prepared by the Law Officers of the Crown, and requested the Bailiff to submit the said Bill to the States for their approval; (4) That on the 10th day of March, 1926, the said Bill or Projet de Loi was submitted to and considered by the States of Deliberation, when a resolution was passed approving the same with certain modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (5) That following a conference at the Home Office with the Bailiff on the terms of the Bill, it was returned by the Secretary of State with certain suggestions as to its amendment; (6) That these amendments were considered and in part adopted by the Royal Court and thereafter, on the 23rd day of March, 1927, submitted to the States who passed the Bill in an amended form and authorized the President to present a most humble petition to Your Majesty in Council praying for Your Royal Sanction thereto. (7) That the said Bill or Projet de Loi is intituled 'Loi relative à l'Entretien des Enfants Illégitimes, 1927,' and is in the words and figures set forth in the Schedule to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi relative à l'Entretien des Enfants Illégitimes, 1927,' and to order and direct that the same shall have the force of law within the Island of Guernsey. 1927

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into

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consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

"LOI RELATIVE À L'ENTRETIEN DES ENFANTS ILLÉGITIMES, 1927."

ARTICLE 1.

Application to Magistrate for summons to be served on the man alleged to be the father of a bastard child.

Any single woman, who may be with child or who may be delivered of a bastard child after the passing of this law, may, either before the birth or at any time within twelve months from the birth of such child, or at any time thereafter, upon proof that the man alleged to be the father of such child has within the twelve months next after the birth of such child paid money for its maintenance, or at any time within the twelve months next after the return to the Island of the man alleged to be the father of such child, upon proof that he ceased to reside in the Island within the

twelve months next after the birth of such child, make application to the Magistrate for a summons to be served on the man alleged by her to be the father of the child, and upon such application being made the woman shall make a deposition upon oath stating who is the father of such child, and the Magistrate shall thereupon order that a summons shall be issued to the person alleged to be the father of such child to appear before him on the day and hour specified in such summons.

The expression, any single woman, shall include a widow or a married woman living apart from her husband, if the child of such married woman is the offspring of an adulterous intercourse.

ARTICLE 2.

Evidence.

After the birth of such bastard child, on the appearance of the person so summoned, or on proof that the summons was duly served on such person or left at his place of abode six days at least prior to the day fixed for his appearance, the Magistrate shall hear the evidence of such woman and such other evidence as she may produce, and shall also hear any evidence tendered by or on behalf of the person alleged to be the father, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the Magistrate, he may adjudge the man to be the putative father of such bastard child; and he may also, if he sees fit, having regard to all the circumstances of the case, make an order on the putative father for the payment to the mother of the bastard child, or to any person who may be appointed to have the custody of such child, of a sum of money weekly, not exceeding ten shillings a week, for the maintenance and education of the child, and of the expenses incidental to the birth of such child, and of the funeral expenses of the child, provided that it has died before the making of such

Magistrate may make an order for the payment of a weekly sum not exceeding ten shillings and incidental expenses, &c.

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order, and of such costs as may have been incurred in the obtaining of such order, and if the application be made before the birth of the child, or within two calendar months after birth of the child, such weekly sum may, if the magistrate thinks fit, be calculated from the birth of the child.

Failure to pay sum in pursuance of an order.

If at any time after the expiration of fourteen clear days from the making of such order as aforesaid it be made to appear to the Magistrate, upon oath or affirmation, that any sum to be paid in pursuance of such order has not been paid, the Magistrate may order H.M.'s Sheriff to apprehend and bring the putative father before him, and in case such putative father neglect or refuse to make payment of the sums due from him under such order, or since any commitment for disobedience to such order as hereinafter provided, together with the costs attending the apprehension and bringing up of such putative father, the Magistrate may direct that the sum so appearing to be due together with the costs, be recovered by the sale of the goods and chattels of such putative father, to be held before H.M.'s Sheriff ; and the Magistrate may further order that such putative father be detained and kept in custody until a report from H.M.'s Sheriff as to the result of the sale be received, unless the putative father give sufficient security, by way of recognisance or otherwise, to the satisfaction of the Magistrate, for his appearance before him on such day as the Magistrate may appoint for the return of the report by H.M.'s Sheriff ; but if upon the return of such report, or if by the admission of such putative father, it appears that the putative father has not sufficient goods and chattels within the jurisdiction to satisfy the claim, then the Magistrate may, if he sees fit, cause such putative father to be committed to prison for any term not exceeding three calendar months unless such sum and costs, including the costs of the sale and commitment be sooner paid and

Penalty.

satisfied ; provided however that the term of imprisonment shall not exceed the limits prescribed by the law relating to procedure in criminal matters sanctioned by Order of Her Majesty in Council dated the 13th day of August, 1877, registered on the Records of this Island on the 30th day of August, 1877. 1927

ARTICLE 3.

Payment limited to the age of fourteen years.

No order for the maintenance and education or for contribution towards the relief of any such child made in pursuance of this law, shall, except for the purpose of recovering money previously due under such order, be of any force or validity after the child in respect of whom it was made has attained the age of fourteen years, or after the death of such child ; provided that the Magistrate may, when making the order, direct that the payments to be made under it in respect of the child shall continue until the child attains the age of sixteen years, in which case such order shall be in force until that period : Provided further that the Magistrate may at any time on the application of the mother, the putative father, the States Central Board for the Administration of the Poor if the child be chargeable to the States, or the person for the time being having the custody of the child, upon cause being shown, upon fresh evidence to the satisfaction of the Magistrate, revoke, revive or vary any order made by him. The Magistrate may further rescind the whole order if he is satisfied at any time, on fresh evidence, that the defendant is not the putative father of the child.

Revocation, revision or revival of an order upon fresh evidence.

ARTICLE 4.

Payment under an order.

(1)—All money payable under an order as aforesaid shall be due and payable to the mother of the bastard child in respect of such time and so long as she lives and is of sound mind, and is not in prison or

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under sentence of penal servitude; and after the death of the mother of such bastard child or whilst such mother is of unsound mind or confined in any prison or under sentence of penal servitude, the Magistrate, so long as such child is not chargeable under the Poor Law to the States may, if he thinks fit, make an order empowering the guardian (tuteur) of such bastard child to make application for the recovery of all payments becoming due under his order as aforesaid in the same manner as the mother of such bastard child might have done, and any payments so ordered to be made shall be recovered by the guardian of the child in the manner provided for the recovery of payments under an order obtained by the mother in pursuance of Article 2 of this law.

Where the Magistrate makes an order under Article 2 of this law, he shall, unless upon representations expressly made in that behalf by the applicant for the order he is satisfied that it is undesirable to do so, provide in the order that all payments thereunder shall be made to H.M.'s Greffier at the office of the Greffe, and if the order so provides, all payments under the order shall be made to H.M.'s Greffier and not otherwise.

(3)—It shall be the duty of H.M.'s Greffier to receive all such payments as may be directed to be made to him under this law and to pay on demand at the office of the Greffe to the mother of the bastard child, or to such other person as is named in the order, the sum directed to be paid under the order, or such part thereof as he receives, without making any deduction therefrom, and, where any such payment or any part thereof is in arrear for seven days, H.M.'s Greffier shall give notice in writing to the person who is entitled under the order to receive that payment, stating the particulars of the arrears.

Nothing in this law shall affect the right of the mother or other person entitled to recover payments

under the order to proceed against the putative father of the child to enforce payment of any sum due to such person, but on the request in writing of the mother or other person entitled to recover payments under the order, it shall be lawful for H.M.'s Greffier to proceed in his name on behalf of the mother or such other person against the putative father for the recovery of payments under the order, and in any such case the liability of the person on whose behalf the proceedings are taken for all costs properly incurred in or about the proceedings shall be the same as if the proceedings had been taken by that person. 1927

For the purpose of this article the expression H.M.'s Greffier means His Majesty's Greffier or any person duly appointed by him to act as a Deputy of His Majesty's Greffier.

ARTICLE 5.

(1)—When a bastard child becomes chargeable under the Poor Law to the States of the Island, the President or other member of the Central Board for the Administration of the Poor, duly authorised by the Board for the purpose, may apply to the Magistrate and thereupon the Magistrate may summon the man alleged to be the father of the child to appear before him to show cause why an order should not be made against him to contribute towards the relief of the child, and upon his appearance or on proof that the summons was duly served on him, or left at his place of abode six days at least before the day appointed for his appearance, the Magistrate shall hear the evidence of the mother and such other evidence as she or the Central Board for the Administration of the Poor may produce, and shall also hear any evidence tendered by or on behalf of the person alleged to be the father, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the Magis- Bastard child chargeable under Poor Law.

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trate, he may adjudge the man to be the putative father of such bastard child, and he may make an order upon such putative father to pay to the Central Board for the Administration of the Poor such sum, weekly or otherwise towards the relief of the child during such time as the child shall continue or afterwards be chargeable, as shall appear to the Magistrate to be proper ; and any payment so ordered to be made shall be recoverable by the Central Board for the Administration of the Poor in the manner provided by Article 2 of this law for the recovery of payments under an order obtained by the mother: Provided as follows :—

(1) That subject to the provisions of section (2) of this article no payments shall be recoverable under such order except in respect of the time during which the child is actually in receipt of relief ;

(2) That an order under this article shall not be made, and if made, shall cease except for the recovery of arrears, when the mother of the child has obtained an order under this law ;

(3) That nothing in this law shall be deemed to relieve the mother of a bastard child from her liability to maintain such child.

(4) That if, after an order has been made under this Article, the mother should apply for an order under Article 1 of this law, the order made under this Article shall be *prima facie* evidence that the man upon whom the order is made is the father of the child.

(2) Where an order has been made in pursuance of Section (1) of this Article the Magistrate may, on the application of the Central Board for the Administration of the Poor, the mother or any person for the time being having the custody of the child, vary such order by providing for the continuance thereof after the child has ceased to be chargeable to the States,

and for the purposes of the continuance of the order may alter the amount of the sums payable thereunder and order that payments becoming due thereunder shall be paid to the mother or person having the custody of the child. 1927

Provided that the order shall not continue in force after the child has attained the age of sixteen years, or died, except for the recovery of arrears, and that the sums payable thereunder shall be weekly sums not exceeding ten shillings a week.

An application under this section may be made whilst the child is chargeable to the States, or at any time within six months after the child ceases to be so chargeable.

ARTICLE 6.

When and so often as a bastard child for whose maintenance an order has been made by the Magistrate on the application of the mother shall become chargeable under the Poor Law to the States, the Magistrate may, if he shall see fit, make an order appointing the Procureur of the Poor of the parish in which the mother resides or some other officer nominated for the purpose by the States Central Board for the Administration of the Poor to receive such proportion of the payments then due or becoming due under the said order as may accrue during the period for which such child is chargeable and such appointment shall remain in force for one whole year, and may afterwards from time to time be renewed by the Magistrate for the like period ; and any payment so ordered to be made shall be recoverable by the Procureur of the Poor or other officer so nominated by the States Central Board in the manner provided for the recovery of payments under an order obtained by the mother under Article 2 of this law.

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ARTICLE 7.

Renunciation or cession shall not release putative father from liability for payment.

When the Magistrate shall have made an order against the putative father of a bastard child and such putative father shall thereafter be admitted to the benefit of renunciation or cession or shall make a composition with his creditors which shall be binding on them, such renunciation, cession or composition shall not release him from liability for payment of the money due under the order so made by the Magistrate except to such an extent and under such conditions as the Court may expressly order in respect of such liability.

ARTICLE 8.

Persons subject to the Army, Naval or Air Force Acts.

(1)—A person subject to the Army Act, 1881 (44 and 45 Vict. Ch. 58) or to the Naval Discipline Act or to the Air Force (Annual) Act, as amended by any enactments for the time being in force, shall be liable to contribute to the maintenance of any bastard child of which he may be proved to be the father to the same extent as if he were not so subject, but execution of any order in respect of such liability shall not issue against his person, pay, arms, ammunition, equipments, instruments, regimental necessaries or clothing.

(2)—Where an order is made under this law for payment by a person subject to the above Acts of the cost of the maintenance of any bastard child of whom he is the putative father, a copy of such order shall be sent by H.M.'s Greffier to the Lieutenant-Governor.

(3)—No proceedings under this law shall be valid against a person subject to the above Acts if served after such person is under orders for service beyond the sea.

Orders made prior to the operation of this law.

ARTICLE 9.

An order made by the Court prior to the operation

of this law in respect of the maintenance of a bastard child shall be enforced in conformity with the provisions of the law. 1927

ARTICLE 10.

An appeal shall lie to the Royal Court sitting as the Full Court from any order, or extension, *or revocation* of such order, made by the Magistrate under this law or from any refusal by the Magistrate to make such an order or extension *or revocation* of it. Appeal to Royal Court.

ARTICLE 11.

The Royal Court is hereby authorised to pass all such Ordinances as may be deemed necessary for the purpose of carrying out this law and of regulating the legal procedure and the scale of costs payable under it. Ordinances.

ARTICLE 12.

The law intituled " Loi relative à l'entretion des enfants illégitimes " sanctioned by an Order of Her late Majesty Queen Victoria in Council dated the 29th day of February, 1868, registered on the Records of this Island on the 14th day of March, 1868, is hereby repealed. Law of 1868 repealed.

(Enregistré sur les Records le 18 juin 1927.)

AT THE COURT AT BUCKINGHAM, PALACE,
The 26th day of May, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD PRESIDENT,
LORD STEWARD,
VISCOUNT PEEL,
SIR MALCOLM ROBERTSON.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of Loi ayant rapport à l'Abolition de

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l'Affeurement de Rentes et au Taux de paiement des Rentes.

the Committee of Council for the Affairs of Guernsey and Jersey, dated the 25th day of May, 1927, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for reasons set forth in the preamble thereto, the Royal Court on the 4th day of December, 1926, adopted a Bill or Projet de Loi intituled ' Loi ayant rapport à l'Abolition de l'Affeurement de Rentes et au Taux de paiement des Rentes,' prepared by the Law Officers of the Crown, and requested the Bailiff to submit the same to the States for their approval ; (2) That at a meeting held on the 25th day of February, 1927, the States passed a Resolution approving the said Bill or Projet de Loi with slight modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi ayant rapport à l'Abolition de l'Affeurement de Rentes et au Taux de Paiement des Rentes,' and to order and direct that the same shall have the force of law within the Island of Guernsey, from the 10th day of October, 1927."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

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HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey, from the 10th day of October, 1927.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff, and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À L'ABOLITION DE L'AFFEUREMENT DE RENTES ET AU TAUX DE PAIEMENT DES RENTES.

Attendu que la coutume s'est établie de payer en argent les rentes payables en nature et que par Ordonnance de la Cour Royale en date du 23 avril 1838, l'affeurement des Rentes dues en froment au dix octobre de chaque année a lieu aux Chefs Plaids d'après Pâques ensuivant et que par Ordonnance de la Cour Royale en date du 31 mars 1845, les dites rentes sont affeurées en prenant l'avarie du prix de froment entre le dix octobre, jour auquel les rentes deviennent dues, et les Chefs Plaids d'après Pâques ensuivant ;

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Attendu qu'il est dans l'intérêt public de stabiliser les redevances foncières et de les soustraire des conditions aléatoires produites par les variations des prix de froment d'année en année ;

Attendu que les Seigneurs de la Trésorerie de Sa Majesté ont donné leur assentiment au dit projet en ce qui regarde les rentes dues à Sa Majesté ;

Affeurement aboli.

1.—L'Affeurement des Rentes par la Cour des Chefs Plaids est aboli.

Rentes dorénavant payables en argent.

2.—Toute rente affeurée par le passé par la Cour des Chefs Plaids ou par le Receveur-Général de Sa Majesté ne sera plus payable en nature mais sera dorénavant payée en argent au taux suivant, savoir :

Taux.

Les rentes de froment à seize chelins par quartier.

Les rentes de poules à trois chelins sept pennis par poule.

Les rentes de chapons à quatre chelins six pennis par chapon.

3.—Cette loi ne porte aucune dérogation au droit de fixer par Convention particulière tout autre taux en argent pour le paiement des rentes.

4.—Cette loi viendra en force le 10 octobre 1927, mais ne s'appliquera pas aux rentes payables avant le dit jour.

(*Enregistré sur les Records le 25 juin* 1927.)

Lithuania (Extradition) Order in Council 1927.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 26 mai 1927 intitulé " Lithuania (Extradition) Order in Council, 1927."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile par être logé au Greffe, et qu'un extrait des Registres avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le* 16 *juillet* 1927). 1927

AT THE COURT AT BUCKINGHAM PALACE,

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT — LORD COLEBROOKE

LORD CHAMBERLAIN — LT.-COL. HON. G. F. STANLEY

MAJOR G. C. TRYON.

Loi relative aux Mauvaises herbes.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 24th day of June, 1927, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That on the 12th day of February 1927, the Royal Court, acting upon representations made by the States Committee for Agriculture regarding injury to land caused by noxious weeds, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown intituled ' Loi relative aux Mauvaises Herbes,' and requested the Bailiff to submit the same to the States for their approval ; (2) That on the 4th day of April, 1927, the said Bill was duly considered by the States, when a resolution was passed approving the same with slight modifications and referring the Schedule attached thereto to the Royal Court for amendment ; (3) That the said Schedule having been duly amended in accordance with the aforesaid resolution, the matter was further considered by the States at a meeting held on the 11th day of May 1927, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to the said Bill, and praying that Your Majesty would be graciously pleased to Grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey

1927 intituled 'Loi relative aux Mauvaises Herbes,' and to order and direct that the same shall have the force of Law within the Island of Guernsey.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased by and with the advice of His Privy Council to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1927

LOI RELATIVE AUX MAUVAISES HERBES.

ARTICLE 1.

Définitions.

Définitions : "propriétaire" "occupant" "Le Comité"

Les mauvaises herbes auxquelles cette Loi s'applique sont celles contenues dans la cédule ci-annexée.

Pour les besoins de cette Loi l'expression "propriétaire" comprend un usufruitier, et l'expression "occupant" dans le cas d'une route, rue ou chemin public signifie le Comité des Etats pour la voirie publique, et dans le cas d'une terre non occupée, la personne qui a le droit de l'occuper.

L'expression "le Comité" signifie le Comité des Etats pour l'Agriculture.

ARTICLE 2.

Pouvoirs du Comité pour l'Agriculture.

Dans le cas où le Comité soit satisfait qu'il y a des mauvaises herbes croissant sur une terre quelconque tendant à nuire aux terres appartenant à autrui, il pourra faire servir sur l'occupant de la terre une signification par écrit qu'il ait à enlever ou à détruire telles mauvaises herbes de la manière et dans le temps spécifiés dans la dite signification.

Lorsqu'une signification aux fins de cet article est servie sur le locataire de la terre, une copie de la signification sera au même temps envoyée au propriétaire.

ARTICLE 3.

Pénalité pour négligence d'obtempérer à une signification.

Lorsqu'une signification a été servie aux fins de l'article précédent sur l'occupant d'une terre quelconque à l'effet d'enlever ou détruire de maivaises herbes croissant sur la dite terre et que tel occupant néglige sans raison valable d'obtempérer à la dite signification dans le temps mentionné dans la dite signification, il sera passible pour chaque offense,

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d'une amende qui n'excédera pas £10 et en outre d'une amende qui n'excédera pas £1 pour chaque jour pendant lequel il continue à négliger d'obtempérer à la dite signification après avoir été condamné pour la première offense ; pourvu toutefois que

(*a*) des procédures ne seront intentées qu'à l'instance du Comité et des Officiers du Roi joints ;

(*b*) le Comité pourra faire exécuter l'ouvrage mentionné dans la dite signification et se faire rembourser par le défaillant du coût de tel ouvrage au moyen de procédures civiles et le fait que le Comité a fait exécuter l'ouvrage sera sans préjudice à son droit d'intenter des procédures pour le paiement d'une amende.

ARTICLE 4.

Entrée sur et inspection de terres.

Toute personne autorisée à l'effet par le Comité pourra, en produisant une autorisation par écrit signée du Président du Comité, entrer sur et inspecter une terre quelconque, pourvu que connaissance préalable par écrit de telle visite aura été donnée à l'occupant au moins quarante-huit heures auparavant.

ARTICLE 5.

Empêchement à l'entrée.

Celui que empêche ou met empêchement à l'entrée sur une terre quelconque pour les besoins de cette Loi à une personne dûment autorisée suivant aux termes de l'article précédent, sera passible d'une amende qui n'excédera pas £10.

ARTICLE 6.

Significations

Les significations aux fins de cette Loi seront servies par le Sergent du Roi ou par son Député.

ARTICLE 7.

Ordonnances.

La Cour Royale est autorisée à passer telles ordonnances qu'elle croira nécessaires pour la mise à

execution de cette loi, et pour modifier de temps en temps la cédule ci-annexée. 1927

CEDULE.

Hemlock, water dropwort (œanthe corcata) patois (pain-faie), Cow Parsnip (Heracleum sphondylium) patois (quesse), Common Ragwort (Senecio Jacobaea) patois (mèque) ; Cédule.

Thistles—

(*a*) Carduus lanceolatus, patois (chardon béni) ;

(*b*) Carduus arvensis, patois (mauvais létron) ;

(*c*) Carduus palustris, patois (mauvais chardon) ;

Docks of all kinds ;

Nettles—

(*a*) Common nettle (urtica dioica) ;

(*b*) Small nettle (urtica urens) ;

Wild garlic (allium triquetrum).

(*Enregistré sur les Records le* 16 *juillet* 1927.)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of June, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD COLEBROOKE
LORD CHAMBERLAIN — LT.-COL. HON. G. F. STANLEY
MAJOR G. C. TRYON.

Loi supplémentaire à la Loi relative aux Huiles et Essences Minérales ou autres substances de la même nature, 1927.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 31st day of May, 1927, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That representations having been made to the Board of Administration that the dues payable

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in respect of licences for the storage of inflammable oils constituted a distinct hardship to those holding large stocks, the States, on the recommendation of the said Board, at a meeting held on the 2nd day of February, 1927, approved the repeal of Section 8 (*a*), (*b*), (*c*), and (*d*) of Article 2 of the Order of Your Majesty in Council of the 17th March, 1925, and the substitution therefor of a new section modifying the said dues, and requested the Royal Court to prepare a Bill or Projet de Loi giving effect to their resolution; (2) That accordingly on the 25th day of April, 1927, the Royal Court adopted a Bill intituled 'Loi supplémentaire à la Loi relative aux Huiles ou Essences Minérales ou autres substances de la même nature (1927),' and requested the Bailiff to submit the same to the States for their approval; (3) That at a meeting of the States held on the 11th day of May, 1927, the said Bill was approved and the President was authorised to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (4) That the said Bill is in the words and figures set forth in the Schedule to the said Petition; And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi supplémentaire à la Loi relative aux Huiles ou Essences Minérales ou autres substances de la même nature (1927),' and to order and direct that the same shall have the force of law within the Island of Guernsey.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.'

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"HIS MAJESTY having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi, (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island ,and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI RELATIVE AUX HUILES OU ESSENCES MINÉRALES OU AUTRES SUBSTANCES DE LA MÊME NATURE (1927).

Vu la délibération des Etats en date du deux février 1927. ;

Est et demeure rappelée section (8) de l'article 2 de la Loi intitulée "Loi relative aux huiles ou essences minérales ou autres substances de la même nature," sanctionnée par Ordre de Sa Majesté en Conseil en date du 17 mars 1925, enregistré sur les Records de cette Ile le 4 avril 1925, et y est substituée la section suivante laquelle sera censée former partie du dit article de la dite loi.

Rappel de la section 8 de l'article 2 de la loi de 1925.

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ARTICLE II.

Droits payables.

(8) Les droits suivants seront payables aux Etats lors de l'octroi et du renouvellement d'une licence :—

	£ s. d.
(*a*) pour une quantité n'excédant pas 25 gallons	5 0
(*b*) pour une quantité excédant 25 gallons mais n'excédant pas 500 gallons	10 0
(*c*) pour une quantité excédant 500 gallons, mais n'excédant pas 2,000 gallons	1 0 0
(*d*) pour une quantité excédant 2,000 gallons mais n'excédant pas 20,000 gallons	au taux de 10s. pour chaque mille gals.
(*e*) pour une quantité excédant 20,000 gallons mais n'excédant pas 50,000 gallons	12 10 0
(*f*) pour une quantité excédant 50,000 gallons mais n'excédant pas 100,000 gallons	15 0 0
(*g*) pour une quantité excédant 100,000 gallons	20 0 0

Et seront les dits droits payables à compter du premier janvier 1927.

ORDRES EN CONSEIL.

(*Enregistré sur les Records le 16 juillet 1927.*) 1927

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of June, 1927.

PRESENT

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD COLEBROOKE
LORD CHAMBERLAIN — LT.-COL. HON. G. F. STANLEY
MAJOR G. C. TRYON.

Aliénation de terres dans l'Ile de Sercq

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 14th day of July, 1927, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of William F. Collings, Esquire, Seigneur of the Island of Sark, Frederick de Carteret, Esquire, Sénéchal, and Alfred Baker, Esquire, Prévôt, of the said Island, setting forth that, under and by virtue of Letters Patent of Her Majesty Queen Elizabeth, bearing date at Westminster the 6th day of August in the 7th year of Her Reign, the Seigneur of the said Island of Sark was required ' to procure the said Island to be continually inhabited, peopled, occupied and frequented by 40 men at least,' and that, in pursuance thereof the Seigneur, after reserving certain lands for his own use and occupation, divided the remainder of the said Island into 40 holdings or tenements which were severally granted and allotted to 40 inhabitants of the said Island : That by Letters Patent of His Majesty King James I, bearing date at Westminster the 12th day of August in the 9th year of His Reign, it was provided that the said tenements should be kept whole and entire, and should always

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remain and continue impartable and undivided: That hitherto, when a portion of land has been required for religious, municipal or other public or semi-public purposes in the said Island, it has been necessary on each and every occasion to address a most humble Petition praying for an Order of Your Majesty in Council according sanction for the transfer of such land for such purposes: That, whereas it might be necessary or desirable from time to time in the future that land or buildings in the said Island should be acquired for public use, it was humbly submitted that if it pleased Your Majesty to make an Order in Council according general sanction for the alienation of lands and buildings for public use, Your Petitioners would thereby be relieved of the necessity of petitioning Your Majesty for a special Order in Council to sanction each and every such alienation, on such occasions as might arise in the future: That the Chief Pleas of the said Island of Sark, at their Meeting holden on the 1st day of October, 1924, passed the following Resolution :—' That the Chief Pleas humbly petition His Majesty in Council to sanction a modification of the existing Law relating to the Tenure of Land in Sark enabling a Proprietor to give or sell a portion or portions of land for public use and for no other purpose; the prior consent of the Seigneur and Chief Pleas must be obtained in such transaction ': That, after correspondence on the matter had passed between the Bailiff of Guernsey and the Seigneur of Sark, the Chief Pleas of Sark at their Meeting holden on the 20th January, 1926, passed the following resolution :—' Les Chefs Plaids en faisant accueil aux lettres du Government Office datées respectivement du 21 Octobre et du 10 Novembre, 1925, ayant rapport à l'aliénation des terres dans l'Ile de Serk, pour les besoins publics ou semi-publics ont été d'avis d'adopter la recommandation contenue dans la lettre de Monsieur le Baillif, datée du 6 fevrier, 1925, à Monsieur William Frederick

Collings, Seigneur de Serk, et dont la teneur suit :— 1927
'That the initiation of the matter should come from the Seigneur and Douzaine, who, before submitting the proposal to the Chief Pleas, should refer it to His Majesty's Procureur, who would ascertain whether it was in conformity with the Law. On obtaining the Certificate of the Procureur that the proposal was within the provisions of the Law, the matter would be laid before the Chief Pleas for their approval' : Et ont les Chefs Plaids autorisé Monsieur W. F. Collings, Seigneur de Serk, le Sénéchal et le Prévôt à présenter une très Humble Requête à Sa Majesté en Conseil le priant de vouloir bien y accorder Sa Sanction Royale ' ; And humbly praying that Your Majesty would be graciously pleased to make such Order in Council as would give effect to the provisions set forth in the Schedule annexed to the Petition ".

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference have taken the said Petition and the provisions set forth in the Schedule annexed thereto into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition, and to approve of and ratify the provisions set forth in the Schedule annexed thereto."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said provisions, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Sark.

AND HIS MAJESTY doth hereby further direct that this Order and the said Provisions (a copy whereof is hereunto annexed) be entered upon the Registers of the Islands of Guernsey and Sark and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Bailiwick of Guernsey, the Bailiff and

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Jurats, and all other His Majesty's Officers, for the time being, in the said Bailiwick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

Provisions referred to in the foregoing Order in Council.

Provisions regarding Alienation of land.

1.—It shall be lawful to alienate and acquire land with or without buildings thereon forming part of any tenement or other building in the Island of Sark as may be required for a religious, charitable, educational or other purpose for the benefit of the community but for no other purpose, and such land or buildings may be acquired by Trustees or by a body corporate : Provided that—

(1) The Seigneur and Douzaine of the said Island of Sark shall propose or approve such alienation ;

(2) His Majesty's Procureur of the Island of Guernsey, on a reference made to him by the Seigneur and Douzaine of the said Island of Sark specifying the proposed use of such land or building, shall have certified that it is required for a religious, charitable, educational or other purpose for the benefit of the community ;

(3) Upon such Certificate being obtained, the proposal for such alienation be submitted by the Seigneur and Douzaine to the Chief Pleas of the said Island of Sark and approved by them ;

(4) The use to which such land or building is destined, as specified in the Certificate of His Majesty's Procureur, be declared in the Deed of Conveyance thereof ;

(5) No person other than a British Subject and no body corporate other than a body corporate of

British Nationality may at any time acquire any estate or interest therein. 1927

2.—Every subsequent transfer of land or buildings which shall have been alienated by virtue of the Order in Council, bearing date the 27th day of June, 1927, shall be null and void unless the conditions and formalities prescribed in subsections (1), (2), (3) and (4) of Section 1, above recited, shall have been observed concerning the same: Provided that this Section shall not apply in the case of a subsequent transfer for the sole purpose of vesting the legal estate in succeeding Trustees or a succeeding body corporate for the maintenance and continuation of such interest therein and such use thereof as shall have been already declared and approved under the said Order in Council, of the 27th day of June, 1927.

(*Enregistré sur les Records le 3 septembre*, 1927.)

Albania (Extradition) Order in Council, 1927

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour un exemplaire d'un Ordre en Conseil intitulé "Albania (Extradition) Order in Council, 1927."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions du Contrôle du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile par être logé au Greffe, et qu'un extrait des Registres avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Serq.

(*Enregistré sur les Records le 3 septembre* 1927)

AT THE COURT AT BUCKINGHAM PALACE,

The 10th day of August, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

EARL OF ONSLOW SIR MAURICE DE BUNSEN

SECRETARY SIR W. JOYNSON-HICKS HON. SIR JOSEPH COOK

HON. SIR GEORGE PEARCE.

Loi ayant rapport à la

WHEREAS there was this day read at the Board a

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Conservation des Falaises et des Beautés Naturelles de l'Ile.

Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 25th day of July, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That at a meeting held on the 29th day of October, 1924, the States considered a Petition, signed by several of their members, asking for the appointment of a Committee to study and report to the States what steps should be taken to protect the natural beauties in certain parts of the Island, and to ensure reasonable access for the public thereto, and appoint a Committee to study and report to the States upon the questions raised in the said petition ; (2) That on the 29th July, 1925, the report of the Committee was submitted to the States, when certain of the recommendations contained therein were adopted, and the Royal Court was requested to prepare a Bill or Projet de Loi to give effect thereto ; (3) That on the 23rd September, 1925, further recommendations made by the Committee were adopted by the States, and the Royal Court was requested to embody them in the Bill in course of preparation ; (4) That on the 6th day of March, 1926, a Bill on the subject ,prepared by the Law Officers of the Crown, was submitted to the Royal Court, when opposition being raised to certain of its provisions, the Royal Court requested the Bailiff to give the States an opportunity of modifying some of their resolutions ; (5) That accordingly at a meeting held on the 21st July, 1926, the States modified certain of their previous resolutions, and introduced further provisions which they requested the Royal Court to incorporate in the Bill ; (6) That at a meeting of the Royal Court held on the 6th day of November, 1926, the Royal Court adopted the Bill amended

in accordance with the resolutions of the States, and requested the Bailiff to submit the same to the States for their approval; (7) That on the 1st day of December, 1926, and the 19th January, 1927, the said amended Bill was considered by the States, when it was further amended; and on the 23rd day of March, 1927, the amended Bill was finally approved by the States, and the President was authorized to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (8) That the said Bill or Projet de Loi is intituled "Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile," and is in the words and figures set forth in the Schedule to the said Petition; And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the said Bill or Projet de Loi of the States of Guernsey intituled "Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile," and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1927

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken into consideration the said Petition and the said Projet de Loi, and likewise a Petition of the Constables of seven Douzaines of the Island of Guernsey in opposition to the said Petition of the said States, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct

1927 that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À LA CONSERVATION DES FALAISES ET DES BEAUTÉS NATURELLES DE L'ILE.

ARTICLE 1.

Devoirs du Comité.

Un Comité (ci-après désigné "le Comité") sera nommé par les Etats pour porter à exécution les devoirs imposés par cette loi qui sont ci-après prescrits.

ARTICLE 2.

Défense de bâtir, &c., en dedans de la zone jaune, maisons, etc., sans permission par écrit du Comité.

Il est défendu sans la permission par écrit du Comité :—

(*a*) de bâtir ou d'ériger soit maisons, édifices ou bâtiments sur les terres situées en dedans de la zone coloriée en jaune comme est indiqué sur le plan dont l'original est signé par Monsieur le Président des Etats et déposé au Greffe ;

(*b*) d'ériger aucune barrière sur les falaises de cette île en dedans de la dite zone de manière à empêcher accès raisonnable aux piétons.

ARTICLE 3. 1927

Procédures en cas de refus.

(1) Dans le cas où le Comité aura refusé d'octroyer permission de bâtir sur la terre en dedans de la dite zone, le propriétaire de la terre ou le Conseil Administratif des Etats (ci-après désigné " le Conseil ") pourra en appeler à la Cour Royale pourvu que les procédures en appel soient intentées dans les six mois qui suivront le reçu de la notification contenant tel refus.

(2) La notification du refus d'accorder permission de bâtir sera envoyée par le Comité au propriétaire de la terre et au Conseil dans les huit jours qui suivront la date de l'assemblée du Comité à laquelle la décision par rapport à tel refus aura été prise.

(3) Si nul appel n'est interjeté contre la décision du Comité ou si la décision du Comité est confirmée par la Cour Royale, le propriétaire de la terre pourra dans les six mois qui suivront le reçu de la dite notification ou la date de l'acte de la Cour Royale confirmant la décision du Comité, selon le cas, faire une demande aux Etats, par l'intermédiaire du Conseil, d'acheter la terre en question.

La dite demande sera accompagnée d'une déclaration signée du propriétaire faisant preuve qu'il possède la terre à juste titre et que les travaux de construction auraient été commencés dans les trois mois du reçu de la dite notification si le Comité ne lui avait pas refusé permission de bâtir.

A défaut d'accord sur le prix la terre sera alors évaluée, eu égard à toutes les circonstances qui pourront affecter sa valeur, par deux arbitres dont l'un sera nommé par le propriétaire de la terre et l'autre par le Conseil.

Les arbitres, avant de procéder à la dite évaluation, nommeront un sur-arbitre et la décision des arbitres ou du sur-arbitre, selon le cas, sera finale entre les parties.

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Les frais de l'évaluation seront payés moitié par le propriétaire de la terre et moitié par les Etats.

ARTICLE 4.

Effet rétroactif de cette loi.

Les prohibitions imposées par cette loi auront effet rétroactif jusqu'au 29 octobre 1924, pourvu toutefois que ceux qui, après la dite date et avant que cette loi ne vienne en force, auront construit des maisons ou des bâtiments ou auront changé ou fait des additions à des maisons ou des bâtiments avec la permission du Comité nommé par les Etats suivant à leur délibération en date du 23 septembre 1925, et auront obtempéré aux conditions imposées par le dit Comité et par telle délibération, ne seront aucunement affectés par la présente loi en ce qui regarde telles maisons et tels bâtiments.

Les pouvoirs et devoirs du Comité mentionnés dans cet article cesseront à partir du commencement de l'opération de cette loi.

ARTICLE 5.

Maisons, etc, érigées en contravention à cette Loi.

Les maisons, bâtiments ou barrières érigés en contravention à cette loi seront sujets à être démolis par ordre et à la discrétion de la Cour siégeant en Corps.

ARTICLE 6.

Edifices appartenant au Gouvernement de Sa Majesté ou aux Etats.

Cette loi ne s'appliquera pas aux édifices appartenant au Gouvernement de Sa Majesté ou aux Etats de cette île qui sont présentement ou qui seront par après érigés dans la dite zone.

ARTICLE 7.

Cour Royale autorisée à passer Ordonnances.

La Cour Royale est autorisée à passer toutes ordonnances nécessaires pour régler la procédure à suivre lorsque demande sera faite au Comité pour permission de bâtir sous les dispositions de cette loi et généralement pour la mise à exécution des dispositions de cette loi.

ARTICLE 8. 1927

Cette loi viendra en force à partir de l'enregistrement de l'Ordre de Sa Majesté en Conseil y accordant Sa Sanction Royale. Date de la mise en force de cette Loi.

(Enregistré sur les Records le 3 septembre 1927.)

AT THE COURT AT BUCKINGHAM PALACE,
The 25th day of July, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD CHAMBERLAIN
MARQUESS OF BATH — EARL BEATTY
LORD EUSTACE PERCY.

Loi supplémentaire à la Loi de 1920 sur la mise en Retraite des Instituteurs et à la Loi de 1923 qui y est supplémentaire "Teachers' Superannuation."

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of July, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That for the reasons set forth in the preamble thereto the Royal Court on the 11th day of December, 1926, adopted a Bill or Projet de Loi intituled 'Loi supplémentaire à la Loi de 1920 sur la Mise en Retraite des Instituteurs et à la Loi de 1923 qui y est supplémentaire,' prepared by the Law Officers of the Crown, and requested the Bailiff to submit the same to the States for their approval ; (2) That on the 5th day of January, 1927, the said Bill was submitted to and approved by the States, and the President was authorised to submit a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the Secretary of State having transmitted certain modifications suggested by the Board of Education, the Royal Court on the 14th May, 1927, adopted the said modi-

1927 fications and requested the Bailiff to submit the same to the States for their approval; (4) That on the 15th June, 1927, the States duly considered the said modifications, when a resolution was passed approving the same and authorizing the President to submit an amended Bill to Your Majesty in Council praying for Your Royal Sanction thereto; (5) That the said Bill is in the words and figures set forth in the Schedule to the said Petition; And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi intituled 'Loi supplémentaire à la Loi de 1920 sur la Mise en Retraite des Instituteurs et à la Loi de 1923 qui y est supplémentaire,' and to order and direct that the same shall have the force of Law in the Island of Guernsey.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons

whom it may concern, are to take notice and govern themselves accordingly. 1927

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI DE 1920 SUR LA MISE EN RETRAITE DES INSTITUTEURS ET À LA LOI DE 1923 QUI Y EST SUPPLÉMENTAIRE.

Attendu qu'en vertu de la Loi sur la Mise en retraite des Instituteurs sanctionnée par un Ordre de Sa Majesté en Conseil en date du 28 juin 1920, enregistré sur les Records de cette Ile le 17 juillet 1920, et de la Loi supplémentaire à la dite Loi sanctionnée par un Ordre de Sa Majesté en Conseil en date du 30 juillet 1923 enregistré sur les Records de cette Ile le 22 août 1923, l'acte du Parlement intitulé "School Teachers (Superannuation) Act 1918" et l'Acte du Parlement intitulé "School Teachers (Superannuation) Act 1922" ont respectivement force de Loi en cette Ile, sujet aux modifications qui sont narrées dans les dites lois respectivement et à toutes autres modifications que l'anglicé "Board of Education" en Angleterre pourrait trouver nécessaires ou désirables pour faciliter l'application des dits Actes du Parlement ;

Attendu que des amendements ont été apportés aux dits Actes du Parlement par l'Acte du Parlement intitulé "Teachers (Superannuation) Act 1925" ;

Attendu que l'anglicé "Board of Education" susdit est autorisé en vertu de la Section 21 alinéa (*c*) du dit Acte du Parlement intitulé "Teachers (Superannuation) Act 1925" avec l'assentiment de la Trésorerie à faire des règlements à l'effet d'étendre

1927 les dispositions des Titres II et IV du dit Acte (avec ou sans modification) au service des Instituteurs dans tous pays sous l'autorité souveraine de Sa Majesté où il y a un anglicé " scheme of superannuation " pour les instituteurs administré par les autorités locales et ce par arrangement avec telles autorités locales ;

Attendu qu'il est nécessaire d'appliquer à cette Ile avec certaines modifications les dispositions des Titres II et IV du dit Acte du Parlement " Teachers (Superannuation) Act, 1925 " ;

ARTICLE 1.

A partir du 1er avril 1926, les dispositions des Titres II et IV de l'Acte du Parlement intitulé " Teachers (Superannuation) Act 1925 " auront force de loi en cette Ile sujet toutefois aux modifications suivantes rédigées dans la langue anglaise et à toutes autres modifications que l'anglicé " Board of Education " en Angleterre pourrait trouver nécessaires ou désirables pour faciliter son application et pour cet effet le Conseil d'Education des Etats adoptera les règlements de l'anglicé " Board of Education " en Angleterre actuellement en force et ceux qui seront de temps en temps à l'avenir faits par le dit " Board of Education " sujet toutefois à telles modifications qui seront nécessaires pour les adapter aux circonstances locales :—

(1) The words " The Board of Education " and the words " The Board " where used in the said Act of Parliament with the exception of section seventeen thereof shall, when applied to Guernsey, be taken to mean " The Education Council " (Conseil d'Education) appointed under the supplementary law relating to public Primary Education sanctioned by an Order of His Majesty in Council dated the 7th day of July, 1916, registered on the Records on the 29th day of July, 1916.

(2) The words " Guernsey " shall be substituted for the words " England and Wales "; the words " the States " substituted for the words " the Treasury " and " Parliament "; and the words " to the States of Guernsey " for the words " into the Ecxhequer." 1927

ARTICLE 2.

(1)—Le Conseil d'Education des Etats payera telle proportion des pensions de retraite et des gratifications qui sera attribuable aux services rendus dans l'Ile de Guernesey et qui doit être payée " otherwise than out of moneys provided by Parliament " conformément aux dispositions du dit Acte du Parlement dit " Teachers (Superannuation) Act 1925." Les paiements du Conseil d'Education se feront de telle manière que le dit Conseil et l'anglicé " Board of Education " s'accorderont.

(2)—Les dispositions de cette Loi ne s'appliqueront pas aux instituteurs qui ne font pas le service contributoire (anglicé " Contributory service ") ni aux instituteurs qui ont donné au Président du Conseil d'Education des Etats l'avis prévu par l'Article 3 de la Loi sur la mise en retraite des Instituteurs sanctionnée par l'Ordre de Sa Majesté en Conseil en date du 28 juin 1920 enregistré sur les Records de cette Ile le 17 juillet 1920, à moins que tels instituteurs ne donnent au Président du dit Conseil dans la période d'un mois qui suivra l'enregistrement de l'Ordre de Sa Majesté en Conseil sanctionnant cette présente loi, un avis par écrit qu'ils acceptent les dispositions de cette présente loi et ce dans la forme suivante :

Je soussigné (nom et prénoms) dont le numéro enregistré comme Maître (ou Maîtresse) est vous donne avis que j'accepte la Loi sur la Mise en Retraite des Instituteurs renfermant les dispositions des Titres II. et IV. de l'Acte du Parlement dit " Teachers (Superannuation) Act 1925."

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(*Enregistré sur les Records le 3 septembre* 1927.)

AT THE COURT AT BUCKINGHAM PALACE,

The 10th day of August, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

EARL OF ONSLOW — SECRETARY SIR W. JOYNSON-HICKS

SIR MAURICE DE BUNSEN — HON. SIR JOSEPH COOK

HON. SIR GEORGE PEARCE.

Impôts—Auregny.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 3rd day of August, 1927, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney setting forth :—That on the 10th day of August, 1926, Your Majesty was graciously pleased by an Order of Your Majesty in Council to grant to the States of the Island of Alderney the power to levy a duty of Seven shillings and sixpence per gallon on Spirituous Liquors and Liqueurs retailed and consumed in the Island : a duty of Three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of One shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of Ten shillings per gallon on Wine named Champagne retailed and consumed in the Island ; a duty of Three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of Sevenpence per gallon on all Beer imported, brewed and consumed in the Island : a duty of Sixpence per pound on all Tobacco : of one shilling and fourpence per pound on all Cigarettes : and a duty of One shilling and threepence per pound on all Cigars consumed in the Island, for the term of one year from the date of the registration of Your Majesty's Order in Council on the records of the said Island, the

proceeds of the said duties to be applied to the purposes, and under the conditions as hereby follows :— 1927

(*a*) Payment of One hundred pounds sterling per annum in liquidation of the Public Debt (if any) : (*b*) Payment of One hundred pounds sterling per annum to the Commissioners of Crown Lands, as a contribution towards the Local Administration of the Island, in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works, and Improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty pounds sterling per annum salary to Your Majesty's Procureur : (*i* Payment of the Expenses of Public Compulsory Elementary Education beyond the Endowment : (*j*) Payment of expenses of Lighting the Town : (*k*) Payment of registration of all Public documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, Cleaning and keeping in repair all Public Tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded and special services : (*n*) Payment of Twenty pounds sterling per annum, salary of States Treasurer's clerk : (*o*) Payment of Thirty pounds sterling per annum, salary of States Inspector of Explosives : and to be subject to the following conditions :—(1) That an Annual Account of the Receipts and Expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics Account shall be submitted to the Annual Audit each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the

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Impôt account shall be kept separately from other funds : (5) That the States shall be authorized from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past, the right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt

That the said Order was registered on the Records of the Island of Alderney, on the 8th day of September, 1926.

That at a Meeting of the States of Alderney holden before Your Petitioner on the 11th day of July, 1927, the States were of opinion to renew (with the exception of the duty on Champagne which they propose to reduce to five shillings per gallon and with which is included sparkling Wines) for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the records of the Island the Impôt on Wines, Spirits, Beer, Tobacco, Cigars and Cigarettes on the terms herein set forth, the proceeds of the said duties to be applied to the purposes and under the conditions herein set forth as follows :—

Impôt on Spirituous Liquors and Liqueurs retailed and consumed in the Island, seven shillings and sixpence per gallon, a duty of Three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of One shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of Five shillings per gallon on Wine named Champagne and on Sparkling Wines retailed and consumed in the Island : a duty of Three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of Sevenpence per gallon on all Beer imported, brewed and consumed in the Island : a duty of Sixpence per pound on all Tobacco, of One shilling and Threepence per pound on all Cigars and of One shilling and Fourpence per

pound on all Cigarettes consumed in the Island : the proceeds of the said duties to be applied to the purposes, and under the conditions as hereby follows :— 1927

(*a*) Payment of One hundred pounds sterling per annum in liquidation of the public debt (if any) : (*b*) Payment of One hundred pounds sterling per annum to the Commissioners of Crown Lands, as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of the expenses of Public Compulsory Elementary Education beyond the endowment : (*j*) Payment of expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public buildings, care of Fire Engines, Cleaning and keeping in repair all Public Tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty pounds sterling per annum salary of States Treasurer's clerk: (*o*) Payment of Thirty pounds sterling per annum salary of States Inspector of Explosives, and to be subject to the following conditions : (1) That an Annual Account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local "Besoins Publics" Accounts shall be submitted to the Annual Audit each year by the Exchequer and Audit Department: (3) That no debt chargeable to the Impôt shall be

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incurred without the previous sanction of His Majesty in Council : (4) That the Impôt Account shall be kept separately from other funds: (5) That the States shall be authorized from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt.

That on the 22nd day of March, 1927, Your Majesty was graciously pleased by an Order of Your Majesty in Council to sanction the payment of Ten Pounds sterling per annum from the revenue derived from the Impôt as salary of the States Immigration Officer.

That at the said Meeting of the States of the Island of Alderney the Petitioner was authorized to present in the name of the States a most humble petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the said States power to levy the said duties for one year: And humbly praying that Your Majesty may be graciously pleased to grant to the States of the Island of Alderney power to levy the said duties under the terms and conditions set forth in the Petition for the term of one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the records of the Island of Alderney, and to order that the payment of Ten Pounds sterling per annum, salary of the States Immigration Officer, shall be included in the expenditure chargeable to the Impôt."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to grant to the States of the Island of

Alderney power to levy the duties specified in the said Petition upon the terms and conditions detailed therein, and to order that the payment of Ten pounds sterling per annum, the salary of the States Immigration Officer, be included in the expenditure chargeable to the Impôt. 1927

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorized for the term of one year from the date of the registration of this Order of His Majesty in Council on the records of the said Island, to levy the duties specified in the said Petition upon the terms and conditions detailed therein, and that the payment of Ten pounds sterling per annum, the salary of the States Immigration Officer, shall be included in the expenditure chargeable to the Impôt.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Registers of the Islands of Guernsey and Alderney and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

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(*Enregistré sur les Records le 26 novembre 1927.*

AT THE COURT AT BUCKINGHAM PALACE.

The 3rd day of November, 1927.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY

SECRETARY SIR W. JOYNSON-HICKS

SIR FREDERICK PONSONBY

SIR JOHN ELDON BANKES

MR. RONALD MCNEILL

LORD JUSTICE GREER.

Démission de Adolphus John Hocart, écr., Juré-Justicier.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 7th day of September, 1927, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—"1(1) That Adolphus John Hocart, Esquire, after having at a meeting of the States of Election of Your Majesty's Island of Guernsey held on the 1st day of May, 1907, been duly elected 'Juré-Justicier' or Jurat of the Royal Court of the said Island, was, on the 4th day of May, 1907, sworn into Office before the said Court. (2) That on the 16th day of July, 1927, the said Adolphus John Hocart addressed a letter to the Bailiff, as President of the States, requesting that Body, owing to his advanced age, to consent to his being discharged from the said Office. (3) That at a meeting of the States of Deliberation held on the 31st day of August, 1927, a Resolution was passed whereby the States, in acceding to the request of the said Adolphus John Hocart, authorized the President to present a most humble Petition to Your Majesty in Council praying that Your Majesty might be graciously pleased to confirm the said Resolution, nevertheless allowing the said Adolphus John Hocart to enjoy during the remainder of his life the honours and

privileges appertaining to the said Office and to authorize the States to proceed to a new election. And most humbly praying that Your Majesty would be graciously pleased to grant unto Adolphus John Hocart, Esquire, his discharge from the Office of 'Juré-Justicier' or Jurat of the Royal Court, allowing him nevertheless to enjoy during the remainder of his life the honours and privileges appertaining to the said Office, and to authorize the States to proceed to a new election in order to fill the Office thus rendered vacant." 1927

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration, is pleased by and with the advice of His Privy Council, to approve thereof, and His Majesty doth hereby accordingly grant unto the said Adolphus John Hocart, Esquire, his discharge from the Office of 'Juré-Justicier' or Jurat of the Royal Court of the Island of Guernsey, allowing him, nevertheless, to enjoy during the remainder of his life the honours and privileges appertaining to the said Office.

AND HIS MAJESTY doth hereby further authorize and order the States of the said Island of Guernsey to proceed to a new election according to the laws and constitution of the said Island in order to fill up the said Office thus rendered vacant.

Whereof the Bailiff and Jurats of the Royal Court of the said Island of Guernsey, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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(*Enregistré sur les Records le 26 novembre 1927*).

Berne Copyright Convention (Estonia) Order, 1927.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 3 novembre, 1927, transmettant des exemplaires d'un Ordre en Conseil intitulé

"Order in Council of the 3rd November 1927, entitled 'The Berne Copyright Convention (Estonia) Order, 1927.'

La Cour, après avoir eu lecture du dit Ordre en Conseil en date du 3 novembre, 1927, communiqué, ouïes les conclusions des Officiers du Roi, a ordonné:—

1.—Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette Ile.

2.—Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des Records de cette Ile.

3.—Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 26 novembre 1927.*)

AT THE COURT AT BUCKINGHAM PALACE

The 3rd day of November, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

SECRETARY SIR W. JOYNSON HICKS SIR JOHN ELDON BANKES

SIR FREDERICK PONSONBY MR. RONALD MCNEILL

LORD JUSTICE GREER.

Loi ayant rapport à la Livraison de Liqueurs Spiritueuses des Magasins des Etats (Immature Spirits).

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 16th day of August, 1927, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble

Petition of the States of the Island of Guernsey setting forth :—" (1) That the Royal Court, acting upon the recommendation of a Committee of the States of Guernsey appointed to enquire into the question of controlling the sale of intoxicating liquors, on the 12th day of March 1927, adopted a Bill or ' Projet de Loi ' prepared by the Law Officers of the Crown, on the lines of the English Act of 1915 relating to the Sale of Immature Spirits, and requested the Bailiff to submit the same to the States for their approval : (2) That on the 4th day of April 1927, the said Bill was duly considered by the States, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (3) That the said Bill is intituled ' Loi ayant rapport à la Livraison de Liqueurs Spiritueuses des Magasins des Etats ' (Immature Spirits), and is in the words and figures set forth in the Schedule hereunto annexed : And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or ' Projet de Loi ' inituled ' Loi ayant rapport à la Livraison de Liqueurs Spiritueuses des Magasins des Etats " (Immature Spirits) and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1927

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council to approve of and ratify the said Projet de Loi, and to order, as it is hereby

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ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

PROJET DE LOI

INTITULÉ

LOI AYANT RAPPORT À LA LIVRAISON DE LIQUEURS SPIRITUEUSES DES MAGASINS DES ÉTATS.

(*IMMATURE SPIRITS.*)

Les Règlements suivants, rédigés en anglais, ayant rapport à la livraison de liqueurs spiritueuses des Magasins des Etats auront force de loi en cette Ile.

Delivery of Spirits from Bonded Stores.

1.—No spirits shall be delivered for consumption in the Island unless they have been warehoused in the States Bonded Stores for a period of at least three years;

Provided that

Exceptions.

(*a*) This restriction shall not apply to spirits delivered for purposes for which they may for

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the time being be delivered free of duty, or to mixtures, compounds or preparations which have been charged to duty in respect of the spirits contained in them or used in their preparation or manufacture ; and

(*b*) Subject to the payment of such duties (if any) as the States may determine and to compliance with such conditions as the States may impose, this restriction shall not apply

(i) To spirits delivered to a licensed rectifier, to a manufacturing chemist, or to a manufacturer of perfumes, for use in their manufactures, or to other persons licensed by the States ; or

(ii) to spirits delivered for scientific purposes, or

(iii) to imported British Gin, Geneva and perfumed spirits and British and foreign liqueurs ; and

(*c*) Subject to the payment of such duties (if any) as the States may determine and to compliance with such conditions as the States may impose, this restriction shall not apply for a period of one year after the commencement of this law.

(i) To spirits of any sort delivered for consumption in the Island, if they have been warehoused in the States Bonded Stores for a period of at least two years ; or

(ii) to imported rum delivered for consumption in the Island if it has been warehoused in the States Bonded Stores for a period of at least nine months ; and

(*d*) Any period which in the case of imported spirits is shown to the satisfaction of the States Board of Administration to have elapsed between the dates of distillation and importation shall be treated, for the purpose of this law, as a period during which the spirits have been warehoused in the States Bonded Stores.

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Supply of rectified spirits of wine for medicines to medical practitioners, &c.

2.—Nothing contained in this Article shall interfere with the supply of rectified spirits of wine for the purpose of making medicines, to registered medical practitioners, to hospitals and to persons, firms and bodies corporate entitled to carry on the business of a Chemist and Druggist.

Penalty for procuring delivery of spirits in contravention of this law.

3.—If any person procures or attemps to procure the delivery of spirits in contravention of this law or acts in contravention of or fails to comply with any conditions imposed by the States or by Ordinance of the Royal Court he shall be liable to a penalty not exceeding One hundred pounds; and any spirits in respect of which the offence has been committed may be forfeited at the discretion of the Court.

Existing contracts.

4.—Where any existing contracts are interfered with by this law the Contractor shall, to the extent of such interference, be relieved therefrom.

Ordinances.

5.—The Royal Court is authorised to pass from time to time all and such Ordinances as may be necessary to give effect to this law.

(Enregistré sur les Records le 26 novembre 1927.)

AT THE COURT AT BUCKINGHAM PALACE,
The 3rd day of November, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
SECRETARY SIR W. JOYNSON-HICKS
SIR FREDERICK PONSONBY
SIR JOHN ELDON BANKES
MR. RONALD MCNEILL
LORD JUSTICE GREER.

Marriage of British Subjects (Facilities) Act 1915 Section 1 applicable to Bailiwick of Guernsey.

WHEREAS by Section 1 of the Marriage of British Subjects (Facilities) Act, 1915, it is (amongst other things) enacted as follows :—

" Where His Majesty is satisfied that the law in force in any part of His Majesty's Dominions outside the United Kingdom makes due provision for the

publication of banns or for the giving of notice in respect of marriages between British Subjects intended to be solemnised or contracted in the United Kingdom, and for the recognition of certificates for marriage issued by Superintendent Registrars in England and of certificates for marriage issued by Registrars, and certificates of proclamation of banns, in Scotland, and of certificates for marriage issued by Registrars in Ireland as sufficient notice in respect of marriages between British Subjects intended to be solemnised or contracted in that part of His Majesty's Dominions, His Majesty may by Order in Council declare that this Section shall apply to that part of His Dominions, and in such case :— 1927

" (*a*) Where a marriage is intended to be solemnised or contracted in the United Kingdom between a British Subject resident in England, Scotland, or Ireland and a British Subject resident in that part of His Majesty's Dominions, a certificate of the publication of banns or a certificate of notice of marriage issued in accordance with such law shall in England have the same effect as a certificate for marriage issued by a Superintendent Registrar, and in Scotland and Ireland have the same effect as a certificate for marriage issued by a Registrar in Scotland and Ireland respectively ; and

" (*b*) Where a marriage is intended to be solemnised or contracted in that part of His Majesty's Dominions between a British Subject resident in that part and a British Subject resident in England, Scotland, or Ireland, a certificate for marriage may be issued in England by a Superintendent Registrar, or in Scotland or Ireland by a Registrar, in the like manner as if the marriage was to be solemnised or contracted under circumstances requiring the issue of

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such a certificate, and as if both such British Subjects were resident in England, Scotland, or Ireland, as the case may be " :

AND WHEREAS by Section 1 of the Marriage of British Subjects (Facilities) Amendment Act, 1916, it is enacted as follows :—

" If His Majesty is satisfied that, for the purposes of a marriage to be solemnised or contracted in any part of His Dominions outside the United Kingdom between a British Subject resident in that part and a British Subject resident in England, Scotland, or Ireland, no notice of the marriage is, under the law in force in that part of His Dominions, required on the part of the person resident in England, Scotland, or Ireland, His Majesty may by Order in Council declare that Section 1 of the Marriage of British Subjects (Facilities) Act, 1915, shall apply to that part of His Dominions, notwithstanding that the law in force in that part does not make provision for the recognition of certificates for marriage issued in England, Scotland, and Ireland, and of certificates of proclamation of banns issued in Scotland, as sufficient notice in respect of such marriages as aforesaid, provided that the other conditions required by that Section are fulfilled " :

AND WHEREAS His Majesty is satisfied that, for the purposes of a marriage to be solemnised or contracted in the part of His Dominions outside the United Kingdom hereinafter mentioned between a British Subject resident therein and a British Subject resident in England, Scotland, or Ireland, no notice of the marriage is under the law in force in that part of His Dominions required on the part of the person resident in England, Scotland, or Ireland and that under the said law the other conditions required by the hereinbefore recited Section 1 of the Marriage of British Subjects (Facilities) Act, 1915, are fulfilled :

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NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the above-recited Acts in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

Section 1 of the Marriage of British Subjects (Facilities) Act, 1915, shall apply to the part of His Majesty's Dominions outside the United Kingdom hereunder mentioned :—

The Bailiwick of Guernsey.

AND HIS MAJESTY doth further direct that this Order be registered and published in the Islands of Guernsey and Alderney, not as being essential to its operation therein, but that His Majesty's Subjects in the said Bailiwick may have notice of the making thereof and that they are bound thereby, and the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being of Guernsey, and also the Judge and Jurats of the Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(*Enregistré sur les Records le* 16 *janvier* 1928.)

AT THE COURT AT BUCKINGHAM PALACE,

The 20th day of December, 1928.

PRESENT.

THE KING'S MOST EXECLLENT MAJESTY

MASTER OF THE HORSE — SECRETARY SIR JOHN GILMOUR

SECRETARY SIR W. JOYNSON-HICKS — SIR ARTHUR STEEL-MAITLAND

Loi supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 19th day of December, 1927, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by

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Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the Statês of the Island of Guernsey setting forth :—" (1) That by an Order of Your Majesty in Council of the 9th day of October, 1924, registered on the Records of this Island on the 17th day of November, 1924, Your Majesty was graciously pleased to ratify and confirm a Bill or Projet de Loi of the States of this Island intituled ' Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' which contains in Article XIV (11) the following provision :—

' 11. Section 1 of this Article shall remain in force for a term of three years only, at the expiration of which period it shall be again considered by the States of Deliberation.'

" (2) That for the reasons set forth in the preamble thereof and in order to obviate the difficulties which might arise if the said Law should become inoperative, the States on the 23rd day of November, 1927, duly considered a supplementary Bill in the matter, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.

" (3) That the said Bill is intituled, ' Loi Supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' and is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi Supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' and to order and direct that the same shall have the force of Law in the Island of Guernsey."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference,

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have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi, but having regard to the desirability of making further investigation into the working of the system of insurance before the said Projet comes into operation, The Lords of the Committee further recommend and advise Your Majesty that the said Projet de Loi should not come into operation for one year, during which period Article XIV, Section 1, of the Law intituled 'Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' approved by Order in Council of the 9th day of October, 1924, should, notwithstanding Section 11 of the said Article, be of full force and effect."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to order, as it is hereby ordered, that the said Projet de Loi shall not be brought into operation and have the force of Law within the Island of Guernsey for one year from the date of this Order, during which period Article XIV, Section 1, of the Law intituled "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," approved by Order in Council of the 9th day of October, 1924, shall, notwithstanding Section 11 of the said Article, be of full force and effect.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons

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whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI AYANT RAPPORT À LA COMPENSATION POUR ACCIDENTS AUX OUVRIERS, 1924.

Article XIV, Section 11 of the Law of 1924 repealed.

Whereas by a resolution of the States dated the 23rd day of November, 1927, it was resolved that in view of the reasons which moved the States to establish a system of State-aided "all round the clock" insurance of workers against personal injuries, and in view of the results of the working of the same during three years as set forth in the letter of the President of the States Insurance Authority of October 28th, 1927, and in view of the terms of Article XIV, Section 11, of the said Law intituled 'Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," the said system should be made permanent and that Article XIV, Section 11, should be repealed.

Article XIV, Section 11, of the said Law "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," is hereby repealed.

(*Enregistré sur les Records le* 16 *janvier* 1928.)

Levée d'un chelin sur passagers atterrissant à Sercq autorisée.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 20 décembre, 1927, autorisant les Chefs Plaids de l'Ile de Sercq à lever, pendant l'année mil huit cent vingt huit une taxe d'un chelin sur tous passagers

(autres que les habitants de la dite Ile) atterrisant à Sercq. 1928

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile, et qu'un extrait des Registres de ce présent Acte sera envoyé à Monsieur le Sénéchal de Sercq, avec un exemplaire du dit Ordre en Conseil.

(*Enregistré sur les Records le* 16 *janvier* 1928).

AT THE COURT AT BUCKINGHAM PALACE,
The 20th day of December, 1927.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MASTER OF THE HORSE
SECRETARY SIR W. JOYNSON-HICKS
SECRETARY SIR JOHN GILMOUR
SIR ARTHUR STEEL-MAITLAND.

Sanctioning the levy of £15,000 for Six Electric Cranes for the New Jetty by means of a Loan redeemable in 35 years, etc.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 6th day of December, 1927, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That by an Order of Your Majesty in Council, dated the 25th day of February, 1926 registered on the Records of this Island on the 13th day of March, 1926, Your Majesty was graciously pleased to order and direct that the sum of £122,000 for the construction of a new jetty in the Harbour of St. Peter Port be raised as follows :— (*a*) By means of a loan redeemable in 35 years ; (*b*) That the sum required for interest and redemption of the said loan be met partly by the increased Tonnage Dues sanctioned by an Order of Your Majesty in Council of the 20th day of February,

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1924, and partly by appropriating Sixpence per ton from the present Tariff of Duty on Goods imported, any surplus accruing therefrom to be applied to the needs of the Harbours of St. Peter Port and St. Sampson in accordance with the said Order in Council (2) That the President of the Board of Administration in a letter addressed to the President of the States of Deliberation dated the 4th day of November, 1927, requested that the States be asked to vote the sum of £15,000 for the purchase of six electric cranes in order to equip the new jetty which is rapidly approaching completion ; (3) That on the 23rd day of November, 1927, the matter was duly submitted to the States when after consideration and debate the following resolutions were adopted, namely :—(*a*) To vote a credit of £15,000 for the purchase and erection of Six electric cranes on the new jetty in the Harbour of St. Peter Port, Four of which are of a capacity of Three tons and Two of a capacity of Five tons ; (*b*) To authorize the Board of Administration to levy the said sum of £15,000 by means of a loan redeemable in 35 years ; (*c*) To declare that the sum required for interest and redemption of the said loan be met (i) from the increased Tonnage Dues in conformity with the Order of Your Majesty in Council of the 20th day of February, 1924, and (ii) by appropriating Sixpence per ton from the present Tariff of Duty on Goods imported, any surplus accruing therefrom to be applied to the needs of the Harbours of St. Peter Port and St. Sampson in accordance with the said Order in Council ; (*d*) To authorize the President of the States to present a most humble Petition to Your Majesty in Council praying that Your Majesty would be graciously pleased to order and direct that the sum of £15,000 be raised by means of a loan redeemable in 35 years, and that the sum required for interest and redemption of the said loan be met in conformity with the foregoing resolutions (*b*) and (*c*). And most

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humbly praying that Your Majesty would be graciously pleased to order and direct that the sum of £15,000 for the purchase and erection of Six electric cranes on the new jetty in the Harbour of St. Peter Port be raised as follows, namely :—(*a*) By means of a loan redeemable in 35 years ; (*b*) That the sum required for interest and redemption of the said loan be met (i) from the increased Tonnage Dues sanctioned by an Order of Your Majesty in Council of the 20th day of February, 1924, and (ii) by appropriating Sixpence per ton from the present Tariff of Duty on Goods imported, any surplus accruing therefrom to be applied to the needs of the Harbours of St. Peter Port and St. Sampson in accordance with the said Order in Council."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof.

AND HIS MAJESTY is hereby pleased to order and direct that the sum of £15,000 for the purchase and erection of Six electric cranes on the new jetty in the Harbour of St. Peter Port be raised as follows, viz. :—

(*a*) By means of a loan redeemable in 35 years.

(*b*) That the sum required for interest and redemption of the said loan be met (i) from the increased Tonnage Dues sanctioned by Order in Council of the 20th day of February, 1924, and (ii) by appropriating Sixpence per ton from the present Tariff of Duty on Goods imported, any surplus accruing therefrom to be applied to the needs of the Harbours of St.

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Peter Port and St. Sampson in accordance with the aforesaid Order in Council.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(Enregistré sur les Records le 16 avril 1928.)

AT THE COURT AT BUCKINGHAM PALACE,
The 22nd day of March, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD PRIVY SEAL — HON. WALTER GUINNESS
LORD STEWARD — SIR MAURICE DE BUNSEN
LORD JUSTICE SANKEY.

Loi pour pourvoir à la Détention de Jeunes Délinquants dans une Institution (Borstal Institution)

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 19th day of March, 1928, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the Humble Petition of the States of the Island of Guernsey setting forth :—(1) That no legislation has hitherto existed in the Island to empower the Court to sentence young offenders between the ages of sixteen and twenty-one to detention in a Borstal institution in England instead of sentencing them to terms of imprisonment or penal servitude; (2) That in view of the enactment of section 46 (2) of the Criminal Justice Act, 1925, the Royal Court on the 15th day of

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May, 1926, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi pour pourvoir à la détention de jeunes délinquants dans une Institution (Borstal Institution),' and, in accordance with a request contained in a letter from the Home Office, requested the Bailiff to transmit the same to the Secretary of State for any observations he might wish to make thereon prior to submitting it to the States of Deliberation for approval; (3) That after correspondence with the Secretary of State and interviews with representatives of the Department of the Home Office concerned and the Bailiff of Guernsey, at which an agreement was arrived at, the said Bill was duly amended and subsequently considered by the States on the 24th day of February, 1928, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (4) That the said Bill is in the words and figures set forth in the Schedule annexed to the said Petition; And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi pour pourvoir à la détention de jeunes délinquants dans une Institution (Borstal Institution),' and to order and direct that the same shall have the force of law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said

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Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI POUR POURVOIR À LA DÉTENTION DE JEUNES DÉLINQUANTS DANS UNE INSTITUTION (BORSTAL INSTITUTION).

ARTICLE 1.

Délinquant traduit sous Acte d'accusation devant la Cour Royale âgé de pas moins de 16 ans et de pas plus de 21 ans pourra être envoyé à une "Borstal Institution" pour y être détenu deux ou trois ans.

Lorsqu'un individu traduit sous acte d'accusation devant la Cour Royale sera reconnu coupable d'une offense entraînant une condamnation à la servitude pénale ou à l'emprisonnement, et qu'il paraît à la Cour—

(*a*) que le délinquant est âgé de pas moins de seize ans et de pas plus de vingt et un ans ; et

(*b*) que par suite de ses habitudes ou inclinations criminelles ou son association avec des personnes de mauvaise vie, il est expédient qu'il soit placé en détention pendant telle période et sous telle instruction et discipline qui paraît le

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mieux contribuer à sa réformation et la répression de crime ;

La Cour, au lieu de le condamner à la servitude pénale ou à l'emprisonnement, pourra ordonner qu'il soit détenu sous la discipline pénale dans une des institutions dites " Borstal Institution " établies aux fins de l'Acte du Parlement dit " The Prevention of Crime Act, 1908 " et ce pendant une période qui ne sera pas moins de deux ans et ne sera pas plus de trois ans ; pourvu toutefois qu'avant de prononcer une telle sentence la Cour entendra le rapport de l'Inspecteur de la Police Salariée pour savoir si le dit individu est une personne convenable pour être admise dans une telle institution, et s'assurera que son caractère, l'état de sa santé et son état mental et les autres circonstances du cas sont tels qu'il y a lieu de croire qu'il profitera de l'instruction et de la discipline dans la dite institution.

ARTICLE 2.

Délinquant traduit devant la Cour de Police Correctionnelle, et âgé de 16 à 21 ans, pourra être envoyé à une " Borstal Institution " pour un terme de deux ou trois ans.

Lorsqu'un individu traduit devant la Cour de Police Correctionnelle est reconnu coupable d'une offense entraînant emprisonnement d'au-delà d'un mois, et

(*a*) qu'il paraît au Magistrat que le délinquant est âgé de pas moins de seize ans et de pas plus de vingt et un ans, et

(*b*) qu'il est prouvé que le délinquant a été condamné auparavant pour une offense quelconque, et

(*c*) qu'il paraît au Magistrat que par suite des habitudes et inclinations criminelles du délinquant ou de son association avec des personnes de mauvaise vie, il est expédient qu'il soit placé en détention pendant telle période et sous telle instruction et discipline qui paraît le mieux contribuer à sa réformation et à la répression de crime,

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le Magistrat, au lieu de rendre une sentence d'emprisonnement, et sujet aux mêmes conditions que celles imposées par l'article premier de cette loi, pourra ordonner qu'il sera détenu dans une des dites institutions " Borstal Institution " et ce pendant la même période que celle prescrite au dit article premier de cette loi.

ARTICLE 3.

Lorsqu'un individu a été condamné en vertu de cette loi à être détenu dans une institution " Borstal Institution," tel individu, sous l'ordre du Secrétaire d'Etat pour les Affaires Intérieures, pourra être transporté en Angleterre et détenu dans une telle institution et sera tel individu sujet à être traité sous tous les rapports de la même manière comme s'il avait été condamné à être détenu dans une telle institution sous l'Acte du Parlement dit " The Prevention of Crime Act, 1908."

ARTICLE 4.

Licence de relâche révoquée ou forfaite.

Au reçu de l'information des Commissaires dits " The Prison Commissioners for England and Wales " adressée à Monsieur le Baillif qu'une licence de relâche accordée à un individu détenu dans une institution " Borstal Institution " par Ordre de la Cour Royale et placé sous la surveillance ou le contrôle d'une Société ou d'une personne résidant dans cette Ile aux fins des dispositions de la section 46 (2) de l'Acte du Parlement dit " The Criminal Justice Act, 1925 " a été révoquée ou forfaite, les Officiers du Roi ou l'un d'eux prendront toutes démarches qui seront nécessaires pour faire arrêter tel individu et le renvoyer à la dite Institution.

ARTICLE 5.

Frais de détention seront payables par les Etats.

Le montant annuel requis pour la garde, la nourriture et l'entretien d'un délinquant détenu dans une

des dites institutions en Angleterre aux fins de cette loi ainsi que tous autres frais encourus par aucun corps public ou association en Angleterre en rapport avec tel délinquant, que tels frais soient en rapport avec sa détention dans l'institution ou autrement, seront payés ou remboursés par les Etats de cette Ile. Les frais du voyage d'aller et de retour du délinquant seront aussi payés par les dits Etats. 1928

(Enregistré sur les Records le 28 avril 1928.)

International Agreement and Convention for the suppression of the White Slave Traffic 1904 and 1910

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 29 mars, 1928, transmettant :—

1.—International Agreement for the suppression of the White Slave Traffic dated the 18th May, 1904.

2.—International Convention for the suppression of the White Slave Traffic dated the 4th May, 1910.

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officers du Roi, a ordonné:—

1.—Que le dit Ordre sera enregistré sur les Records de cette Ile.

2.—Que les dites pièces transmises seront enregistrées sur les records de cette île par être logées au Greffe.

3.—Qu'un extrait des Registres avec un exemplaire des pièces transmises seront expédiés par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq afin d'être enregistrés sur les Records des dites Iles.

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(*Enregistré sur les Records le* 26 *mai* 1928.)

AT THE COURT AT BUCKINGHAM PALACE,
The 7th day of May, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD WRAXALL
SECRETARY SIR W. JOYNSON-HICKS
SECRETARY SIR SAMUEL HOARE
LT.-COL. WILFRID ASHLEY
LORD JUSTICE RUSSELL

Loi supplémentaire à la Loi relative aux Egouts Paroissiaux

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 13th day of April, 1928, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That by an Order of Your Majesty in Council of the 5th day of May, 1922, registered on the Records of this Island the 20th day of May, 1922, Your Majesty was graciously pleased to grant Your Royal Sanction to a Bill or Projet de Loi intituled 'Loi relative aux Egouts Paroissiaux'; (2) That on the 23rd day of November, 1927, the States, on the recommendation of their Board of Administration and the Drainage Board, passed a resolution approving certain modifications of the above law and requested the Royal Court to prepare a Projet de Loi to give effect thereto; (3) That on the 25th day of February, 1928, the Royal Court, in accordance with the aforesaid resolution of the States, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled 'Loi Supplémentaire à la Loi relative aux Egouts Paroissiaux (1928),' and requested the Bailiff to submit the same to the States for their approval; (4) That on the 28th day of March, 1928, the said Bill was duly considered by the States, when a resolution was

passed approving the same with slight modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (5) That the said Bill is in the words and figures set forth in the Schedule annexed to the said Petition ; And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi Supplémentaire à la Loi relative aux Egouts Paroissiaux (1928),' and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1928

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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"PROJET DE LOI" referred to in the foregoing Order in Council.

PROJET DE LOI

INTITULÉ

LOI SUPPLÉMENTAIRE À LA LOI RELATIVE AUX ÉGOUTS PAROISSIAUX (1928).

Vu la délibération des Etats en date du vingt-trois novembre mil neuf cent vingt-sept ;

Sont et demeurent rappelés les articles VI et VII de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922 enregistré sur les Records de cette Ile le 20 mai 1922, et y sont substitués les articles suivants, lesquels seront censés former partie de la dite loi.

ARTICLE 6.

Contribution foncière n'excédant pas 3d. par livre sterling sera levée suivant valeur locative.

(1)—Une contribution foncière qui n'excédera pas trois pennis par livre sterling sera levée par les Connétables et Douzeniers de la paroisse pour les habitants de laquelle les dits travaux doivent être ou auront été enterpris, sur les héritages situés en la dite paroisse suivant leur valeur locative d'après le Cadastre, durant le mois de mars de chaque année, pour tout et aussi longtemps que des contributions seront requises pour défrayer la partie des dépenses encourues par le Conseil, avec intérêt comme est ci-après mentionné, et payables de la manière indiquée dans l'article V de la dite loi du 5 mai 1922. Et sera le produit net des dites contributions foncières versé par les Connétables entre les mains du Président du Conseil d'an en an, à compte de la portion qui doit être payée au moyen des dites contributions, avec intérêt à raison de trois pour cent par an calculé depuis le commencement des travaux.

Connétables auront hypothèque légale.

(2)—Les Connétables, pour les contributions spécifiées en l'article VI, et les Etats, pour les contribu-

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tions spécifiées en l'article VII de cette loi, auront respectivement hypothèque légale sur tout héritage sur lequel une contribution est payable et ce à compter de la date de la demande en paiement, sauf au propriétaire actuel le droit de recours contre tout propriétaire antérieur pour tout paiement de contribution qu'il aura fait dont tel propriétaire antérieur était redevable.

Propriétaire actuel aura droit de recours contre propriétaire antérieur pour tout paiement par celui-ci recevable.

ARTICLE 7.

(1)—Tout propriétaire de maison d'habitation et dépendances, édifice ou chantier mis en communication avec un égout public, que les dites maisons et dépendances, édifices ou chantiers soient érigés lors de la confection ou après la confection de l'égout, paiera aux Etats de cette Ile le tiers de la valeur locative annuelle, une fois payée, des dites maisons et dépendances, édifices ou chantiers, pour couvrir la portion des dépenses à laquelle les propriétaires sont assujettis quant aux nouveaux égouts aux fins de l'article V de la dite loi de 1922 ; aussi dans le cas où une maison d'habitation et dépendances, ou un édifice ou chantier est agrandi ou amélioré et que par suite de tel agrandissement ou amélioration sa valeur locative est augmentée dans le Cadastre, le propriétaire paiera aux Etats de cette Ile le tiers de la différence une fois payé, entre le montant de la valeur locative avant telle augmentation et celui de la valeur locative augmentée. Pourvu toutefois que dans le cas qu'une amélioration n'aura pas l'effet d'aggraver l'usage des égouts, telle amélioration ne sera pas censée une augmentation de valeur locative aux fins de cette loi.

Paiement lors de la confection d'un égout, &c.

(2)—Les demandes pour paiement des contributions aux fins de cet article seront faites par les Etats dès que la maison, édifice ou chantier aura été mis en communication avec l'égout.

(3)—Seront considérées dépendances d'une maison d'habitation tous bâtiments employés au service domestique ainsi que le terrain formant l'enclos jusqu'à et n'excédant pas une vergée.

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Serres sont exceptées de contribution, aussi terrains autres que terrain considéré comme dépendance d'une maison.

(4)—Sont exceptés de contribution toutes serres ainsi que les terrains, à l'exception du terrain considéré comme dépendance d'une maison d'habitation ainsi que dessus.

(*Enregistré sur les Records le 26 mai 1928.*)

Berne Copyright Convention (Finland) Order, 1928.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 7 mai, 1928, transmettant des exemplaires d'un Ordre en Conseil intitulé :

Order in Council of the 7th May, 1928, entitled "The Berne Copyright Convention (Finland) Order, 1928."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné :—

1.—Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette île.

2.—Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des Records de cette île.

3.—Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis, sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

ORDRES EN CONSEIL

(*Enregistré sur les Records le 14 juillet 1928.*)

AT THE COURT AT BUCKINGHAM PALACE.
The 15th day of June, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD MILDMAY OF FLETE
HON. SIR LANCELOT CARNEGIE
MR. G. LOCKER-LAMPSON
SECRETARY SIR WILLIAM JOYNSON-HICKS
SIR FREDERICK PONSONBY
SIR COLVILLE BARCLAY

(Alderney). Sanction for a Loan of £500 for the purchase of certain properties from the War Office

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 29th day of May, 1928, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth :—(1) That on the 10th day of August, 1927, Your Majesty was graciously pleased by Your Majesty's Order in Council to grant to the States of the Island of Alderney the power to levy certain duties on Wines, Spirituous liquors, beer, tobacco, cigars and cigarettes, the proceeds of the said duties to be applied to the purposes set forth in the said Order in Council ; (2) That it was further provided by the said Order in Council that no debt chargeable to the Impôt shall be incurred without the previous sanction of Your Majesty in Council ; (3) That at a meeting of the States of the Island of Alderney holden before the Petitioner on the 26th day of January, 1928, the States considered an offer made to them by

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the War Office of certain properties situate in the said Island for the sum of Five hundred pounds sterling. That the States were of opinion that it would be advantageous to acquire the said properties for the sum stated : that the States were of opinion that the said Five hundred pounds sterling should be a charge on the Impôt, and authorised the President to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereunto Your Royal Sanction ; (4) That on the 25th day of June, 1919, Your Majesty was graciously pleased to grant to the States of the Island of Alderney the power to levy a loan of Two Thousand pounds sterling, the said loan to be applied towards defraying the expenses of repairing roads, streets, public buildings and drains in the said Island ; (5) That the States of the Island of Alderney have under the said authority borrowed the sum of One thousand pounds sterling which said loan has been redeemed by annual instalments of One hundred pounds, the said loan now being Six hundred pounds ; (6) That at the said meeting of the States of Alderney holden before the Petitioner on the 26th day of January, 1928, the States were of opinion to authorize the Petitioners to present in their names a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant the States the power to raise by means of a loan the sum of Five hundred pounds sterling, at the rate of interest which shall not exceed Five pounds per cent per annum, and the said loan to be redeemed by annual instalments of One hundred pounds, the proceeds of the said loan to be applied to the purchase of the said properties offered by the War Office to the States.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion,

to Your Majesty, that it may be advisable for Your Majesty to grant to the States of the Island of Alderney power to raise by means of a loan the sum of Five hundred pounds sterling upon the terms and conditions specified in the said Petition and to order that the said Five hundred pounds sterling be a charge upon the Impôt." 1928

HIS MAJESTY having taken the said report into consideration, is pleased by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorised to raise by means of a loan the sum of Five Hundred Pounds Sterling at a rate of interest not to exceed Five pounds per cent per annum, and that the said loan be a charge upon the Impôt and be redeemed by annual instalments of One hundred pounds and the proceeds be applied to the purchase of the properties in the said Island offered by the War Office to the States of the said Island.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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(*Enregistré sur les Records le* 28 *juillet* 1928).

AT THE COURT AT BUCKINGHAM PALACE,
The 13th day of July, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD CHAMBERLAIN
SECRETARY SIR W. JOYNSON-HICKS
SECRETARY SIR AUSTEN CHAMBERLAIN
SECRETARY SIR J. GILMOUR
EARL GRANVILLE
SIR WILLIAM TYRRELL.

Loi supplémentaire à la Loi ayant rapport aux Pensions pour la Vieillesse.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 22nd day of June, 1928, in the words following, viz. :

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That by an Order of Your Majesty in Council of the 19th day of March, 1926, registered on the Records of this Island the 12th day of April, 1926, Your Majesty was graciously pleased to ratify and confirm a Bill or 'Projet de Loi' of the States of Guernsey intituled 'Loi ayant rapport aux pensions pour la Vieillesse.'; (2) That on the 4th day of April, 1927, on the recommendation of the Old Age Pensions Authority, the States passed a resolution approving a modification of Article VI of the said Law, and requested the Royal Court to prepare a Bill or 'Projet de Loi' giving effect thereto; (3) That on the 28th day of April, 1928, the Royal Court adopted a Bill or 'Projet de Loi,' prepared by the Law Officers of the Crown, intituled 'Loi Supplémentaire à la Loi ayant rapport aux pensions pour la Vieillesse' amending the aforesaid Article VI in accordance with the resolution of the States above-mentioned, and requested the Bailiff to submit the same to the States of Deliberation for their approval;

(4) That on the 13th day of June, 1928, the said Bill or ' Projet de Loi ' was approved by the States, and the President was authorized to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (5) That the said Bill or ' Projet de Loi ' is in the words and figures set forth in the Schedule annexed to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or ' Projet de Loi ' of the States of Guernsey intituled ' Loi Supplémentaire à la Loi ayant rapport aux Pensions pour la Vieillesse ' ; and to order that the same shall have the force of Law within the Island of Guernsey. 1928

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI AYANT RAPPORT AUX PENSIONS POUR LA VIEILLESSE (1928).

Vu la délibération des Etats en date du 4 avril 1927, est et demeure rappelée la section (1) de l'Article VI de la loi ayant rapport aux Pensions pour la Vieillesse sanctionnée par Ordre de Sa Majesté en Conseil en date du 19 mars 1926 enregistré sur les Records de cette Ile le 12 avril 1926 et y est substituée la section suivante laquelle sera censée former partie du dit Article VI de la dite Loi.

ARTICLE VI.

Calculation of Means.

Calculation of Means.

(1)—In calculating for the purpose of this law the means of a person, account shall be taken of :—

(*a*) The yearly value of any property belonging to that person (not being property personally used or enjoyed by him) which is invested, or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him, and of the yearly value of any advantage accruing to that person from the use or enjoyment of any property belonging to him which is personally used or enjoyed by him, excluding furniture and personal effects, of which no account shall be taken, whatever the value thereof may be ; and such yearly value shall be calculated as follows, that is to say :—

(i) The first fifty pounds of the capital value of the said property shall be excluded ; and

(ii) the yearly value of the next three hundred and fifty pounds of the capital value of

the said property shall be taken to be one twenty-fifth part of the capital value ; and

(iii) the yearly value of so much of the capital value of the said property as exceeds the sum of four hundred pounds shall be taken to be one-tenth part of such excess capital value.

In the case of real property other than rentes situated in the Island of Guernsey the capital value thereof shall be a sum equal to twenty times the annual rental value of the property as shown in the Cadastre, and deduction shall be made of the capital value of the rentes and other registered charges thereon.

The capital value of rentes shall be taken to be twenty times the yearly value thereof.

(*b*) The nett income which that person may reasonably expect to receive during the succeeding year in cash, excluding any sums receivable on account of an old-age pension under this law, and excluding any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by him) that income, in the absence of other means for ascertaining the income, being taken to be the income actually received during the preceding year. Provided that no account shall be taken of any amounts received during a period of not more than three months in any year by a person or by the husband or wife of a person, as the case may be, under a medical certificate as sickness or accident benefit from a Friendly or Provident Society or Trade Union, or under the law entitled " Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924."

(*c*) The yearly value of any benefit or privilege enjoyed by that person.

Provided that the first twenty-six pounds per

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annum of means derived from any source shall be excluded from the calculation.

Provided further that where under paragraph (*a*) of the foregoing provisions of this section the yearly value of any property is taken to be one twenty-fifth or one-tenth of the capital value thereof, no account shall be taken under any other of those provisions of any appropriation of that property for the purpose of current expenditure.

(*Enregistré sur les Records le 1er septembre 1928.*)

Belgium (Extradition) Order in Council, 1928.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du treize juillet mil neuf cent vingt huit intitulé "Belgium (Extradition) Order in Council, 1928."

La Cour après avoir eu lecture du dit Ordre, ouïes les conclusions du Contrôle du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile par être logé au Greffe, et qu'un extrait des Registres avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 1er septembre 1928.*)

France (Extradition) Order in Council, 1928.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du treize juillet mil neuf cent vingt huit intitulé "France (Extradition) Order in Council, 1928."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions du Contrôle du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile par être logé au Greffe, et qu'un extrait des Registres avec un exemplaire du dit Ordre en Conseil sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 1er septembre* 1928.) 1928

AT THE COURT AT BUCKINGHAM PALACE,
The 14th day of August, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
EARL WINTERTON
VISCOUNT LEE OF FAREHAM
SECRETARY SIR W. JOYNSON-HICKS
SIR RONALD LINDSAY.

Loi relative à la Crémation.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 9th day of August, 1928, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—" (1) That for the reasons set forth in the preamble thereto, the Royal Court, on the 16th day of June, 1928, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled 'Loi relative à la Crémation,' and requested the Bailiff to submit the same to the States of Deliberation for approval : (2) that on the 6th day of July, 1928, the said Bill or Projet de Loi was duly considered by the States, when an amendment thereto was referred to the Royal Court for consideration : (3) that on the 7th day of July, 1928, the Royal Court considered the amended Bill or Projet de Loi, when a resolution was passed approving the same, and requesting the Bailiff to submit the same to the States of Deliberation for approval : (4) that on the 25th day of July, 1928, the Bill, as finally amended, was submitted to and approved by the States, and the President was authorized to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (5) that the said Bill or Projet de Loi is in the words and figures set

1928 forth in the Schedule to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey in tituled 'Loi relative à la Crémation,' and to order and direct that the same shall have the force of law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opnion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1928

LOI RELATIVE À LA CRÉMATION.

Attendu que les États par leur délibération en date du 21 juillet 1926 ont adopté le principe d'établir un crématorium dans cette Ile :

Attendu qu'il est désirable qu'un Comité soit nommé qui aura l'administration et le contrôle du dit crématorium :

ARTICLE I.

Définitions

Dans cette loi l'expression " crématorium " signifie un édifice fourni des accessoires pour la brûlure des restes mortels des êtres humains et toute chose y ayant rapport, et une crémation signifie une crémation des restes mortels d'un être humain.

ARTICLE II.

Etats seuls auront droit d'établir un crématorium

Les Etats seuls auront le droit d'établir et d'administrer un crématorium dans cette Ile.

ARTICLE III.

Comité.

Il sera nommé par les Etats de cette Ile un Comité dont la constitution sera réglée par les Etats lequel Comité aura l'administration et le contrôle du dit crématorium.

ARTICLE IV.

Cour Royale règlera par Ordonnance
(a) formalités
(b) cas et conditions
(c) disposition des cendres
(d) affiches, certificats, etc.
(e) registres

La Cour Royale réglera par Ordonnance :—

(a) les formalités à être observées pour l'établissement du crématorium et pour son inspection, maintien et entretien :

(b) les cas et les conditions sous lesquels une crémation peut avoir lieu ;

(c) la disposition des cendres ;

(d) les formules des affiches, des certificats et des

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déclarations qui doivent être faits avant qu'une crémation puisse avoir lieu ;

(*e*) les registres à être gardés concernant toute crémation qui aura eu lieu.

ARTICLE V.

Faux détails dans les registres

Les dispositions des lois en force dans cette Ile quant à l'insertion de faux détails dans les registres de décès et l'admissibilité des extraits de tels registres comme actes authentiques s'appliqueront aux registres des crémations autorisés à être gardés par Ordonnance de la Cour Royale.

ARTICLE VI.

Pénalités pour

(*a*) procurer une crémation en contravention à cette loi

(1) Celui qui contreviendra à cette loi ou à un règlement quelconque fait en vertu d'une Ordonnance de la Cour Royale ou qui sciemment effectuera ou procurera une crémation excepté en conformité à tel règlement et aux dispositions de cette loi sera passible (outre les penalités qu'il pourra d'ailleurs encourir) d'une amende qui n'excédera pas £50.

(*b*) Fausse déclaration

(2) Celui qui volontairement fera une fausse déclaration ou qui fera ou émettra un faux certificat dans le but de procurer une crémation sera passible (outre les pénalités qu'il pourra d'ailleurs encourir) d'un emprisonnement avec ou sans travail forcé n'excédant pas deux ans.

(*c*) procuration d'une crémation par fausse déclaration

(3) Celui qui dans le but de cacher la commission ou d'arrêter la poursuite d'une offense, procure ou essaye de procurer une crémation ou qui dans le même but fait une déclaration quelconque ou donne un certificat aux fins de cette loi sera passible de la servitude pénale pour un terme n'excédant pas cinq ans.

ARTICLE VII.

Recteur ne sera pas obligé de célébrer les funérailles, &c.

Le Recteur ou Vicaire d'une paroisse, en ce qui concerne ses paroissiens ou ceux qui meurent dans sa paroisse, ne sera pas obligé de célébrer les funérailles

avant, à, ou après la crémation de leurs restes mortels, mais sur son refus de ce faire, un Ministre quelconque de l'Eglise Anglicane, avec la permission du Commissaire ou Vice Commissaire de l'Ile et sur la demande de l'exécuteur du défunt ou de celui qui a la charge de la crémation ou de l'enterrement des cendres du défunt, pourra célébrer les funérailles.

ARTICLE VIII.

Juridiction du Magistrat dans les enquêtes

Cette loi ne déroge en rien à la juridiction de la Cour Royale et du Magistrat dans les enquêtes à cause de mort.

(Enregistré sur les Records le 8 septembre 1928.)

AT THE COURT AT BUCKINGHAM PALACE,
The 13th day of July, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD CHAMBERLAIN
SECRETARY SIR W. JOYNSON-HICKS
SECRETARY SIR AUSTEN CHAMBERLAIN
SECRETARY SIR J. GILMOUR
EARL GRANVILLE
SIR WILLIAM TYRRELL.

Loi étendant les droits de la Femme Mariée quant à la propriété mobilière et immobilière (Married Women's Property).

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 6th day of July, 1928, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That on the 2nd day of February, 1923, the States of Deliberation appointed a Committee to study and report upon the desirability of removing either wholly or in part the disabilities affecting married women in this Island with regard to

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the holding of immovable and movable property: (2) That the report of the said Commttee dated the 28th day of December, 1925, was duly submitted to the States on the 28th day of April, 1926, when after careful consideration a resolution was passed adopting the principle enunciated in the said report, viz.: that the salient features of the English Acts should be followed, and requesting the Royal Court to prepare a Bill or Projet de Loi to give effect to the resolution of the States in the matter: (3) That on the 4th day of June, 1927, the Royal Court adopted a Bill, prepared by the Law Officers, intituled 'Loi étendant les Droits de la Femme Mariée quant à la propriété mobilière et immobilière,' and requested the Bailiff to submit the same to the States for their approval: (4) That on the 29th day of June, 1927, the said Bill was duly considered by the States, when certain amendments thereto were adopted and certain others which were proposed were referred to the Royal Court for consideration: (5) That on the 3rd day of December, 1927, an amended Bill, prepared by the Law Officers of the Crown, was submitted to the Royal Court and adopted, and the Bailiff was requested to place it before the States for approval: (6) That on the 25th day of January, 1928, the Bill, as amended by the Royal Court, was duly considered by the States, when a resolution was passed approving the same, with slight modifications, and authorising the President to present a most humble Petition to Your Majesty in Council, praying for Your Royal Sanction thereto. (7) That the said Bill is in the words and figures set forth in the Schedule to the Petition: And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi intituled 'Loi étendant les Droits de la Femme Mariée quant à la propriété mobilière et immobilière,' and to order and direct that the same shall have the force of Law within the Island of Guernsey.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion to Your Majesty that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi." 1928

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI ÉTENDANT LES DROITS DE LA FEMME MARIÉE QUANT À LA PROPRIÉTÉ MOBILIÈRE ET IMMOBILIÈRE.

Les Règlements qui ensuivent, rédigés en anglais, ayant rapport aux droits de la femme mariée quant à la Propriété Mobilière et Immobilière auront force de loi en cette Ile.

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DEFINITION.

In this Law the words "movable property" have the same meaning as "propriété mobilière," and the words "immovable property" the same meaning as "propriété immobilière."

Married woman to be capable of acquiring and disposing of property as if she were an unmarried woman of full age.

1.—(1) A married woman shall, in accordance with the provisions of this law, be capable of acquiring, holding and disposing by will or otherwise, of any movable or immovable property as her separate property, in the same manner as if she were an unmarried woman of full age. She shall also be able, without her husband, to dispose of, or to join in disposing of, movable or immovable property held by her solely or jointly with any other person as trustee or personal representative in like manner as if she were an unmarried woman of full age.

Married woman to be capable of contracting as if she were an unmarried woman of full age

(2) A married woman shall be capable, without her husband, of entering into and rendering herself liable in respect of and to the extent of her separate property on any contract, and of suing and being sued, either in contract or in tort, or otherwise, in all respects as if she were an unmarried woman of full age, and her husband need not be joined with her as plaintiff or defendant, or be made a party to any action or other legal proceeding brought by or taken against her and any damages or costs recovered by her in any such action or proceeding shall be her separate property: and any damages or costs recovered against her in any such action or proceeding shall be payable out of her separate property, and not otherwise.

(3) Every contract hereafter entered into by a married woman otherwise than as agent,

(*a*) shall be deemed to be a contract entered into by her with respect to and to bind her separate property whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract;

(*b*) shall bind all separate property which she may

at that time or thereafter be possessed of or entitled to ; and

(c) shall also be enforceable by process of law against all property which she may thereafter while discovert be possessed of or entitled to.

Provided that nothing in this section contained shall render available to satisfy any liability or obligation arising out of such contract any separate property which at the time or thereafter she is restrained from anticipating.

(4) In any action or proceeding now or hereafter instituted by or on behalf of a woman, the Court shall have jurisdiction by judgment or order from time to time to order payment of the costs of the opposite party out of propery which is subject to a restraint on anticipation, and may enforce such payment by granting orders for execution on such property or otherwise as may be just.

(5) Every married woman carrying on a trade separately from her husband shall, in respect of her separate property, be subject to the laws relating to insolvency in the same way as if she were an unmarried woman of full age.

Property of a married woman after this Law to be held by her as feme sole

2.—Every woman who marries after the commencement of this Law may have and hold as her separate property and (subject to the rights of a surviving husband and descendants under the law of succession for the time being in force) dispose of in manner aforesaid all movable and immovable property which shall belong to her at the time of marriage, or shall be acquired by or devolve upon her after marriage, including any wages, earnings, money and property gained or acquired by her in any employment, trade, or occupation, in which she is engaged, or which she carries on separately from her husband, or by the exercise of any literary, artistic, or scientific skill.

Property acquired after this

3.—Every woman married before the commencement of this Law may have and hold and (subject

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to the rights of a surviving husband and descendants under the law of succession for the time being in force) dispose of in manner aforesaid as her separate property all movable and immovable property, her title to which shall accrue after the commencement of this Law, including any wages, earnings, money, and property so gained or acquired by her as aforesaid.

Law by a woman married before this Law to be held by her as feme sole

Married woman's property— when free of husband's control.

4.—(1) The property whether movable or immovable of a woman who marries after the commencement of this Law and the property whether movable or immovable acquired after the commencement of this Law by a woman married before the commencement of this Law, shall not be subject by reason of the marriage to any control administration or beneficial or other interest by or of her husband during the marriage and it shall not be necessary for her husband to join in any contract, act, or deed whereby she acquires movable or immovable property or whereby the movable or immovable property of a woman married after the commencement of this Law, or the movable or immovable property acquired by a married woman after the commencement of this Law, is disposed of.

(2) Where the immovable property of a married woman, being property which belonged to her at the commencement of this Law, is alienated, the proceeds of such alienation shall be her own separate estate and shall not be subject to any control, administration or interest of her husband.

(3) In all cases where by law custom or usage of this Island a married woman, being a party contracting in respect of property, rights or liabilities, or abandoning actual or eventual rights has been required to declare upon oath that she so acted of her own free will and without being forced or constrained thereto by her husband, such declaration is by this Law abolished.

As to money or other

5.—Any money or other estate of the wife lent

or entrusted by her to her husband for the purpose of any trade or business carried on by him, or otherwise, shall be treated as assets of her husband's estate in case of his insolvency, under reservation of the wife's claim to a dividend as a creditor for the amount or value of such money or other estate after, but not before, all claims of the other creditors of the husband for valuable consideration in money or money's worth have been satisfied.

Estate lent or entrusted by wife to her husband

6.—The execution of a general power by will by a married woman shall have the effect of making the property appointed liable for her debts and other liabilities in the same manner as her separate estate is made liable under this Law.

Effect of execution of a general power by will by a married woman

7.—All deposits in any post office or other bank, all annuities, sums, shares, stock, debentures, debenture stock and other interests, which at or after the commencement of this Law are standing in the sole name of a married woman, shall be deemed, unless and until the contrary be shown, to be the separate property of such married woman ; and the fact that any such deposit, annuity, sum, share, stock, debenture, debenture stock, or other interest as aforesaid, is standing in the sole name of a married woman, shall be sufficient prima facie evidence that she is beneficially entitled thereto for her separate use, so as to authorise and empower her to receive or transfer the same, and to receive the dividends, interest, and profits thereof, without the concurrence of her husband, and to indemnify all directors, managers, trustees and other persons controlling or administering the same, in respect thereof.

As to stock, &c., to which a married woman is entitled

8.—All deposits in any post office or other bank, all annuities, sums, shares, stock, debentures, debenture stock, and other interests, which after the commencement of this Law shall be allotted to or placed, registered, or transferred in or into or made to stand in the sole name of any married woman shall be deemed, unless and until the contrary be

As to stock &c., to be transferred to a married woman.

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shown, to be her separate property, in respect of which so far as any liability may be incident thereto her separate estate shall alone be liable, whether the same shall be so expressed in the document whereby her title to the same is created or certified, or in the books or register wherein her title is entered or recorded, or not.

Provided always, that nothing in this Law shall require or authorise any corporation or joint stock company to admit any married woman to be a holder of any shares or stock therein to which any liability may be incident, contrary to the provisions of any law, statute, charter, bye-law, articles of association, or deed of settlement regulating such corporation or company.

Investments in joint names of married woman and others.

9.—All the provisions hereinbefore contained as to deposits, annuities, sums, shares, stock, debentures, debenture stock, and other interests, which at or after the commencement of this Law shall be standing in, or shall be allotted to, placed, registered or transferred to or into, or made to stand in, the sole name of a married woman, shall respectively extend and apply, so far as relates to the estate, right, title, or interest of the married woman, to any of the particulars aforesaid which, at the commencement of this Law, or at any time afterwards, shall be standing in, or shall be allotted to, placed, registered or transferred to or into, or made to stand in, the name of any married woman jointly with any person or persons other than her husband.

As to stock, &c. standing in the joint names of a married woman and others.

10.—It shall not be necessary for the husband of any married woman, in respect of her interest, to join in the transfer of any annuity, deposit, sum, share, stock, debenture, debenture stock, or other interest, which is at the commencement of this Law or shall at any time hereafter be standing in the sole name of any married woman, or in the joint names of such married woman and any other person or persons not being her husband.

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Fradulent investments with money of husband.

11.—If any investment shall have been made by a married woman by means of moneys of her husband, without his consent, the Royal Court sitting as the Ordinary Court may, upon an application by the husband or by any bank, corporation, company, public body, or society in whose books any stocks, funds, or shares are standing in consequence of such investment, order such investment and the dividends thereof, or any part thereof, to be transferred and paid respectively to the husband ; and nothing in this Law contained shall give validity as against creditors of the husband to any gift, by a husband to his wife, of any property, which after such gift shall continue to be in the order and disposition or reputed ownership of the husband, or to any desposit or other investment of moneys of the husband made by or in the name of his wife, in fraud of his creditors ; but any moneys so deposited or invested may be followed as if this Law had not passed.

Moneys payable under policy of assurance not to form part of the estate of the insured.

12.—A married woman may by virtue of the power of making contracts hereinbefore contained effect a policy upon her own life or the life of her husband for her separate use ; and the same and all benefit thereof shall enure accordingly.

A policy of assurance affected by any man on his own life, and expressed to be for the benefit of his wife, or of his children, or of his wife and children, or any of them, or by any woman on her own life, and expressed to be for the benefit of her husband, or of her children, or of her husband and children, or any of them, shall create a trust in favour of the objects therein named, and the moneys payable under such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debts : Provided, that if it shall be proved that the policy was effected and the premiums paid with intent to defraud the creditors of the insured, they shall be entitled to receive, out of the moneys pay-

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able under the policy, a sum equal to the premiums so paid. The insured may by the policy, or by any memorandum under his or her hand, appoint a trustee or trustees of the moneys payable under the policy, and from time to time appoint a new trustee or new trustees thereof, and may make provision for the appointment of a new trustee or new trustees thereof, and for the investment of the moneys payable under any such policy. In default of any such appointment of a trustee such policy, immediately on its being effected, shall vest in the insured and his or her legal personal representatives, in trust for the purposes aforesaid. If, at the time of the death of the insured, or at any time afterwards, there shall be no trustee, or it shall be expedient to appoint a new trustee or new trustees, a trustee or trustees or a new trustee or new trustees may be appointed by the Royal Court sitting as the Ordinary Court on an application made for that purpose. The receipt of a trustee or trustees duly appointed, or, in default of any such appointment, or in default of notice to the insurance office, the receipt of the legal personal representative of the insured shall be a discharge to the office for the sum secured by the policy, or for the value thereof, in whole or in part.

Remedies of married woman for protection and security of separate property

13.—Every woman, whether married before or after this Law shall be in force, shall have in her own name against all persons whomsoever, including her husband, the same civil remedies, and also (subject as regards her husband, to the proviso hereinafter contained) the same remedies and redress by way of criminal proceedings, for the protection and security of her own separate property as if such property belonged to her as an unmarried woman of full age, but, except as aforesaid, no husband or wife shall be entitled to sue the other for a tort. In any indictment or other proceeding under this section it shall be sufficient to allege such property to be her property; and in any proceeding under this section the husband

and wife respectively shall be competent and admissible witnesses, and, except when defendant in criminal proceedings, compellable to give evidence any law to the contrary notwithstanding : Provided always, that no criminal proceeding shall be taken on the complaint of any wife against her husband by virtue of this Law while they are living together, as to or concerning any property claimed by her, nor while they are living apart, as to or concerning any act done by the husband while they were living together, concerning property claimed by the wife, unless such property shall have been wrongfully taken by the husband when leaving or deserting, or about to leave or desert his wife. 1928

Wife's antenuptial debts and liabilities

14.—A woman after her marriage shall continue to be liable in respect and to the extent of her separate property for all debts contracted, and all contracts entered into or wrongs committed by her before her marriage, including any sums for which she may be liable, as a contributory, either before or after she has been placed on the list of contributories, under and by virtue of the Law relating to Limited Liability Companies ; and she may be sued for any such debt and for any liability in damages or otherwise under any such contract, or in respect of any such wrong ; and all sums recovered against her in respect thereof, or for any costs relating thereto, shall be payable out of her separate property ; and, as between her and her husband, unless there be any contract between them to the contrary, her separate property shall be deemed to be primarily liable for all such debts, contracts, or wrongs, and for all damages or costs recovered in respect thereof : Provided always, that nothing in this Law shall operate to increase or diminish the liability of any woman married before the commencement of this Law, for any such debt, contract or wrong, as aforesaid, except as to any separate property to which she may become entitled by virtue of this Law and to which she would not

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have been entitled for her separate use, if this Law had not passed.

Husband to be liable for his wife's debts contracted before marriage to a certain extent

15.—A husband shall be liable for the debts of his wife contracted, and for all contracts entered into and wrongs committed by her, before marriage, including any liabilities to which she may be so subject under the Law relating to limited liability companies as aforesaid, to the extent of all property whatsoever belonging to his wife which he shall have acquired or become entitled to from or through his wife, after deducting therefrom any payments made by him, and any sums for which judgment may have been bona fide recovered against him in any proceeding at law, in respect of any such debts, contracts, or wrongs for or in respect of which his wife was liable before her marriage as aforesaid but he shall not be liable for the same any further or otherwise ; and any court in which a husband shall be sued for any such debt shall have power to direct any inquiry or proceedings which it may think proper for the purpose of ascertaining the nature, amount, or value of such property : Provided always, that nothing in this Law contained shall operate to increase or diminish the liability of any husband married before the commencement of this Law for or in respect of any such debt or other liability of his wife as aforesaid.

Suits for ante-nuptial liabilities

16.—A husband and wife may be jointly sued in respect of any such debt or other liability (whether by contract or for any wrong) contracted or incurred by the wife before marriage as aforesaid, if the plaintiff in the action shall seek to establish his claim, either wholly or in part, against both of them ; and if in any such action, or in any action brought in respect of any such debt or liability against the husband alone, it is not found that the husband is liable in respect of any property of the wife so acquired by him or to which he shall have become so entitled as aforesaid, he shall have judgment for his costs of defence, whatever may be the result of the action against

the wife if jointly sued with him ; and in any such action against husband and wife jointly, if it appears that the husband is liable for the debt or damages recovered, or any part thereof, the judgment to the extent of the amount for which the husband is liable shall be a joint judgment against the husband personally and against the wife as to her separate property ; and as to the residue, if any, of such debt and damages the judgment shall be a separate judgment against the wife as to her separate property only.

Act of wife liable to criminal proceedings

17.—A wife doing any act with respect to any property of her husband, which, if done by the husband with respect to property of the wife, would make the husband liable to criminal proceedings on the complaint of the wife under this Law, shall in like manner be liable to criminal proceedings by her husband, and, in any such proceedings the husband and wife respectively shall be competent and admissible witnesses, and, except when defendant, compellable to give evidence.

Married woman as an executrix or trustee

18.—A married woman who is an executrix or administratix alone or jointly with any other person or persons of the estate of any deceased person, or a trustee alone or jointly as aforesaid of property subject to any trust, may sue or be sued, and may transfer or join in transferring any annuity or deposit or any sum, share, stock, debenture, debenture stock, or other benefit, right, claim, or other interest in that character, without her husband, as if she were an unmarried woman of full age.

Saving of existing settlements, and the power to make future settlements.

19.—Nothing in this Law contained shall interfere with or affect any settlement or agreement for a settlement or contract made or to be made, whether before or after marriage, respecting the property of any married woman, or shall interfere with or render inoperative any restriction against anticipation at present attached or to be hereafter attached to the enjoyment of any property or income by a woman

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under any settlement, agreement for a settlement, will, or other instrument; but no restriction against anticipation contained in any settlement or agreement for a settlement of a woman's own property to be made or entered into by herself shall have any validity against debts contracted by her before marriage and no settlement or agreement for a settlement shall have any greater force or validity against creditors of such woman than a like settlement or agreement for a settlement made or entered into by a man would have against his creditors. Provided that a settlement or agreement for a settlement made after the commencement of this Law by the husband or intended husband whether before or after marriage, respecting the property of any woman he may marry or have married, shall not be valid unless it is executed by her if she is of full age, or confirmed by her after she attains full age. But if she dies a minor any covenant or disposition by her husband contained in the settlement or agreement shall bind or pass any interest in any property of hers to which he may become entitled on her death and which he could have bound or disposed of if this proviso had not been passed.

Married woman to be liable to the parish for the maintenance of her husband.

20.—Where the husband of any woman having separate property becomes chargeable for relief under the Laws from time to time in force relating to the relief of the poor, the Court, on proceedings being taken against the wife by the Board administering such relief or by such officer as may be authorised thereto, may make and enforce such order against her for the maintenance of her husband out of such separate property as may be made and enforced against a husband for the maintenance of his wife if she becomes chargeable for such relief as aforesaid.

Married woman to be liable to the parish for the maintenance of her children.

21.—A married woman having separate property shall be subject to all such liability for the maintenance of her children and grandchildren as the husband is by law subject to for the maintenance of her child-

ren and grandchildren. She shall also be subject to all such liability for the maintenance of her parent, parents, grandparent or grandparents as an unmarried woman of full age is by law subject to for the maintenance of such parent, parents, grandparent or grandparents ; Provided always, that nothing in this Law shall relieve her husband from any liability imposed upon him by law to maintain her children or grandchildren, but the husband shall have the right to recover against the wife's property any expense to which he may have been put, under such liability, in respect of the maintenance of her children and grandchildren who are not also his children or grandchildren. 1928

Legal representative of married woman.

22.—For the purposes of this Law the legal personal representative of any married woman shall in respect of her separate estate have the same rights and liabilities and be subject to the same jurisdiction as she would have or be subject to if she were living.

Interpretation of terms

23.—The word " contract " in this Law shall include the acceptance of any trust, or of the office of executrix or administratrix, and the provisions of this Law as to liabilities of married women shall extend to all liabilities by reason of any breach of trust committed by any married woman being a trustee or executrix or administratrix either before or after her marriage and her husband shall not be subject to such liabilities unless he has acted or intermeddled in the trust or administration.

Commencement of Law.

24.—The date of the commencement of this Law shall be the date whereon the Order of the King's most Excellent Majesty in Council sanctioning the same shall be registered on the records of this Island.

Short title.

25.—This Law may be cited as the Married Women's Property Law, 1928.

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(Enregistré sur les Records le 17 juillet 1928).

AT THE COURT AT BUCKINGHAM PALACE.
The 15th day of June, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD MILDMAY OF FLETE
SECRETARY SIR W. JOYNSON-HICKS
HON. SIR LANCELOT CARNEGIE
SIR FREDERICK PONSONBY
MR. G. LOCKER-LAMPSON
SIR COLVILLE BARCLAY.

Impôts. (Auregny).

WHEREAS there was this day read at the Board a report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 29th day of May, 1928, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney setting forth :—(1) That on the 10th day of August, 1927, Your Majesty was graciously pleased by Your Majesty's Order in Council to grant to the States of the Island of Alderney the power to levy certain duties on wines, spirituous liquors, beer, tobacco, cigars and cigarettes, the proceeds of the said Duties to be applied to the purposes set forth in the said Order in Council ; (2) That it was further provided by the said Order in Council that no debt chargeable to the Impôt shall be incurred without the previous sanction of Your Majesty in Council. That at a meeting of the States of the Island of Alderney holden before the Petitioner on the 26th day of January, 1928, the States considered an offer made to them by the War Office of certain properties situate in the said Island, for the sum of Five Hundred Pounds sterling. That the States were of opinion that it would be advantageous to acquire the said properties for the sum stated ; (3) That the States

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were of opinion that the said Five Hundred Pounds sterling should be a charge on the Impôt, and authorised the Petitioner to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereunto Your Royal Sanction ; (4) That on the 25th day of June, 1919, Your Majesty was graciously pleased to grant to the States of the Island of Alderney the power to levy a loan of Two Thousand Pounds sterling, the said loan to be applied towards defraying the expenses of repairing roads, streets, public buildings and drains in the said Island ; (5) That the States of the Island of Aderney have under the said authority borrowed the sum of One Thousand Pounds sterling, which said loan has been redeemed by annual instalments of One Hundred Pounds, the said loan now being Six Hundred Pounds sterling ; (6) That at the said meeting of the States of Alderney holden before the Petitioner on the 26th day of January, 1928, the States were of opinion to authorise the Petitioner to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant the States the power to raise by means of a loan the sum of Five Hundred Pounds sterling, at the rate of interest which shall not exceed Five Pounds per cent. per annum, and the said loan to be redeemed by annual instalments of One Hundred Pounds, the proceeds of the said loan to be applied to the purchase of the said properties offered by the War Office to the States.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to your Majesty, that it may be advisable for Your Majesty to grant to the States of the Island of Alderney power to raise by means of a loan the sum of Five Hundred Pounds sterling upon the terms and con-

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ditions specified in the said Petition and to order that the said Five Hundred Pounds sterling be a charge upon the Impôt."

HIS MAJESTY having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorised to raise by means of a loan the sum of Five Hundred Pounds sterling at a rate of interest not to exceed Five Pounds per cent. per annum, and that the said loan be a charge upon the Impôt and be redeemed by annual instalments of One Hundred Pounds and the proceeds be applied to the purchase of the properties in the said Island offered by the War Office to the States of the said Island.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(Enregistré sur les Records le 17 novembre 1928.)

AT THE COURT AT BUCKINGHAM PALACE,
The 1st day of November, 1928.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY
MARQUESS OF LONDONDERRY, K.G.
LORD CHAMBERLAIN
VISCOUNT PEEL
SECRETARY SIR W. JOYNSON-HICKS.

Droits sur les Marchandises Importées,

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the

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sur les Liqueurs et Cordiaux et sur le Tabac

Committee of Council for the Affairs of Guernsey and Jersey, dated the 26th day of October, 1928, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That on the 6th February, 1924, the States of Guernsey voted the sum of £220,000 as a contribution to His Majesty's Government, to be applied towards the pensions arising from naval and military service in the Great War of Guernseymen and Guernsey residents. On the 1st January, 1928, this sum was paid into His Majesty's Treasury ; (2) That on the 12th September, 1928, the States approved the recommendation of the Finance Committee that the surplus of £15,460 in excess of the estimated surplus at 31st December, 1927, and which is not earmarked in the Budget Estimate for 1928, be immediately applied towards the payment of the Contribution, leaving £204,540 to be raised by other means ; (3) That it is estimated that there will be an annual balance of approximately £2,000 available from the Royal Court Fund for application to loan charges in connection with the Imperial Contribution, a sum sufficient to provide for interest and redemption of £20,000, thus leaving the States responsible for the sum required to liquidate the balance of £184,540 ; (4) That the States on the 12th September, 1928, resolved that the whole sum of £204,540 be liquidated in fifteen years ; the annual sum required to meet the loan charges on the £184,540 not already provided for over this period being £18,719 ; (5) That to provide this sum the States on the aforesaid date approved the recommendations of their Finance Committee to raise the Duties on Goods Imported, on Spirits and Cordials, and on Tobacco, as follows :—(*a*) To raise the Duty on Goods Imported per ton weight or measurement,

1928 liquids per 210 gallons or 36 dozen bottles, to 5s., except on the following articles on which the duty shall be that set opposite to each article :—

All grains, other than malt ..	Per ton	3s. 6d.
Flour, Sugar, Meat, Tea, Coffee, Cocoa, Potatoes	,,	3s. 6d.
Confectionery (*i.e.*, Chocolates, Sweets, Cakes and similar articles)	,,	10s. 0d.
Fertilisers, Cattle Foods, Agricultural Implements..	,,	3s. 6d.
Limestone and Chalk	,,	1s. 0d.
Horses	Each	7s. 6d.
Bovine Animals	,,	5s. 0d.
Other animals and calves under 3 months ..	,,	1s. 0d.
Baskets of Pigeons ..	,,	6d.
Automobiles—		
Motor cars, British manufacture or origin	,,	£5.
Motor cars, Foreign manufacture or origin	,,	£10
Motor Chassis—British ..	,,	£2 10s. 0d.
,, ,, Foreign ..	,,	£5
Motor Car bodies—British ..	,,	£2 10s. 0d.
,, ,, Foreign ..	,,	£5.
Commercial Cars, *i.e.*, Lorries, Char-a Bancs, Omnibuses, Delivery Vans..	At half above rates.	
Motor Cycles	Each	£1
Motor Cycle Combinations ..	,,	£1 5s. 0d.
Side Cars	,,	5s. 0d.

N.B.—Rebate to be allowed on the re-export of Visitors' cars and motor cycles within the time allowed by the Automobile Law, less a deduc-

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tion of 10s. for cars and 5s. for motor cycles.		
Cycles	Each	2s. 6d.
Horse-drawn vehicles..	,,	£1.
Clay (argile) and gravel	Per ton	6d.
Coal—		
Anthracite	Per ton	1s. 0d.
All other coal and coke (with a rebate of 1s. 6d. on coal used for horticultural purposes, or for use in kilns for the burning of lime or bricks)	,,	2s. 6d.
Timber—		
Hard and green woods, by weight or measurement, whichever is the greater..	Per ton	5s. 0d.
Timber for box making, per standard according to the usage of trade	,,	10s. 6d.
All other timber, per standard according to the usage of trade	,,	15s. 0d.

(*b*) That the duty on Spirits be increased from 11s. 0d. per gallon at 90 degrees to 13s. 6d. per gallon, and the duty on Cordials pro rata from 5s. 6d. per gallon at 45 degrees to 6s. 9d. per gallon. (*c*) That the duty on Tobacco be increased according to the following scale :—

		Per lb.
Cigars & Cigarettes ..	From	2s. 4d. to 3s. 1d.
Manufactured Tobacco	,,	2s. 2s. to 2s. 9d.
Cavendish	,,	2s. 2d. to 2s. 9d.
Leaf unstemmed ..	,,	1s. 6d. to 1s. 9½d.
Leaf stemmed ..	,,	1s. 8d. to 1s. 11½d.

And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Resolutions of the States of this Island of the 12th September, 1928, approving an increase of the

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Duties on Goods Imported, on Spirits and Cordials and on Tobacco as set forth in detail in paragraph 5 of the Petition."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the Duty on Goods Imported, on Spirits and Cordials, and on Tobacco shall be increased as therein proposed and recommended.

AND HIS MAJESTY doth hereby further direct that this Order shall have the force of law within the Island of Guernsey, and that the same be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(Enregistré sur les Records le 17 novembre 1928.) 1928

AT THE COURT AT BUCKINGHAM PALACE,
The 1st day of November, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
MARQUESS OF LONDONDERRY, K.G.
LORD CHAMBERLAIN
VISCOUNT PEEL
SECRETARY SIR W. JOYNSON-HICKS.

Ordonnant que la somme de £27,000 pour la construction des bâtiments etc., sur la nouvelle jetée dans le Havre de St. Pierre-Port soit levée par voie d'emprunt, et les moyens de remboursement du dit emprunt

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 15th day of August, 1928, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That by an Order of Your Majesty in Council dated the 25th day of February, 1926, registered on the Records of this Island on the 13th day of March, 1926, Your Majesty was graciously pleased to order and direct that the sum of £122,000 for the construction of a new jetty in the Harbour of St. Peter-Port be raised as follows :—(*a*) By means of a loan redeemable in 35 years ; (*b*) that the sum required for interest and redemption of the said loan be met partly by the increased Tonnage Dues sanctioned by an Order of Your Majesty in Council of the 20th day of February, 1924, and partly by appropriating Sixpence per ton from the present Tariff of Duty on Goods Imported, any surplus accruing therefrom to be applied to the needs of the Harbours of St. Peter Port and St. Sampson in accordance with the said Order in Council. (2) That the President of the Board of Administration in a letter addressed to the President of the States dated the 9th day of July, 1928, requested that the States be asked to vote the sum of £27,500 for the

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construction of buildings on the new jetty in the Harbour of St. Peter Port, as follows :—

(*a*) buildings on the jetty	£ 21,892
(*b*) balance required to equip the jetty with electric lighting and power; gas ; water ; and making up the roadway	4,130
(*c*) Architect's and Quantity Surveyor's fees	2,550
(*d*) contingencies, including the remuneration of Clerk of Works during construction	1,928
	£30,500
Less anticipated saving on original contract	3,000
	£27,500

(3) That on the 25th day of July, 1928, the matter was duly submitted to the States, when after consideration and debate the following resolutions were passed, namely :—(1) To vote a credit of £27,000 to carry out the said works, with the exception of the proposed residence for the Deputy Harbour Master, viz.: (*a*) £21,392 for buildings ; (*b*) £4,130, balance required to equip the jetty with electric lighting and power ; gas ; water ; and making up the roadway ; (*c*) £2,550 for Architect's and Quantity Surveyor's fees ; (*d*) £1,928 for contingencies, including the remuneration of Clerk of Works during construction : less an anticipated saving of £3,000 on the original contract ; (2) To authorize the Board of Administration to levy the said sum of £27,000 by means of a loan redeemable with interest in 30 years ; (3) To declare that the sum required for interest and redemption of the said loan be met (*a*) from the increased Tonnage Dues in conformity with the Order of Your Majesty in Council of the 20th day

of February, 1924, and (*b*) by appropriating Sxipence per ton from the present Tariff of Duty on Goods Imported, in accordance with the said Order in Council ; (4) To authorize the President of the States to present a most humble Petition to Your Majesty in Council praying that Your Majesty would be graciously pleased to order and direct that the said sum of £27,000 be raised by means of a loan redeemable in 30 years, and that the sum required for interest and redemption of the said loan be met in conformity with the foregoing resolutions (2) and (3). And most humbly praying that Your Majesty would be graciously pleased to order and direct that the sum of £27,000 for the construction of buildings, &c., on the new jetty in the Harbour of St. Peter Port be raised as follows, namely : (*a*) By means of a loan redeemable in 30 years ; (*b*) that the sum required for interest and redemption of the said loan be met (i) from the increased Tonnage Dues sanctioned by an Order of Your Majesty in Council on the 24th day of February, 1924, and (ii) by appropriating Sixpence per ton from the present Tariff of Duty on Goods Imported, in accordance with the said Order in Council. 1928

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof.

AND HIS MAJESTY is pleased to order, as it is hereby ordered :—

That the sum of £27,000 for the construction of buildings, &c., on the new jetty in the Harbour of St. Peter Port be raised as follows :—

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(*a*) By means of a loan redeemable in 30 years.

(*b*) That the sum required for interest and redemption of the said loan be met (i) from the increased Tonnage Dues sanctioned by an Order in Council of the 24th day of February, 1924, and (ii) by appropriating 6d. per ton from the present Tariff of Duty on Goods Imported in accordance with the said Order in Council.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(Enregistré sur les Records le 24 novembre 1928.)

AT THE COURT AT BUCKINGHAM PALACE.

The 1st day of November, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

MARQUESS OF LONDONDERRY, K.G.
LORD CHAMBERLAIN
VISCOUNT PEEL
SECRETARY SIR W. JOYNSON-HICKS.

Loi ayant rapport à l'Asile des Enfants.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 16th day of October, 1928, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of

Guernsey, setting forth :—(1) That the States had for a considerable period had under consideration the best way of dealing with children, and especially with those in charge of the Poor Law Administration of this Island ; (2) That, on the 15th day of June, 1927, the States of Deliberation adopted in principle certain recommendations submitted by the Central Poor Law Board relating to the establishment of a Children's Home, and appointed a Committee to prepare a scheme giving effect to the aforesaid recommendations ; (3) That, on the 28th day of March, 1928, the said Committee submitted a scheme to the States of Deliberation, when a resolution was adopted approving the same, and the Royal Court was requested to prepare a Projet de Loi giving effect to the said resolution ; (4) That, on the 23rd June, 1928, a Bill or Projet de Loi, prepared by the Law Officers of the Crown, and intituled ' Loi ayant rapport à l'Asile des Enfants,' was submitted to and adopted by the Royal Court, and the Bailiff was requested to submit the same to the States for approval ; (5) That, on the 12th day of September, 1928, the said Bill or Projet de Loi was submitted to and approved by the States, and the President was authorized to submit a most humble Petition to Your Majesty in Council praying for Your Royal sanction thereto ; (6) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi intituled ' Loi ayant rapport à l'Asile des Enfants,' and to order and direct that the same shall have the force of law within the Island of Guernsey from the date of the registration thereof on the Records of that Island. 1928

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said

1928 Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that from the date of the registration thereof, the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby direct further that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"LOI AYANT RAPPORT À L'ASILE DES ENFANTS."

ARTICLE I.

Définitions.

Pour les besoins de cette loi.

"Le Conseil Central" signifie le Conseil Central pour l'Administration des Pauvres de l'Ile créé en vertu de la Loi ayant rapport à l'administration des pauvres de l'Ile (1925) et "le Conseil des Enfants" signifie le Conseil de l'Asile des Enfants (Children Board) créé aux fins de cette loi.

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ARTICLE II.

Sujet aux dispositions de cette loi les enfants qui n'ont pas dépassé l'âge scolaire et qui sont présentement dans les Hôpitaux de la Ville et de la Campagne à charge aux Etats de cette Ile ainsi que les enfants du même âge qui seront placés sous les soins du Conseil des Pauvres d'une paroisse par Ordre de la Cour Royale aux fins des dispositions de la Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes (1917) ou qui pour aucune autre cause deviendront à charge aux Etats de cette Ile, seront placés dans un Asile pour des Enfants et leur soin et soulagement seront confiés au Conseil des Enfants dont la constitution et les pouvoirs et devoirs seront ceux qui sont ci-après spécifiés ; pourvu toutefois que cet article ne déroge en rien au droit du Conseil des Enfants de garder un enfant dans le dit Asile après qu'il aura atteint l'âge scolaire.

ARTICLE III.

La Constitution du Conseil.

(1) Le Conseil des Enfants sera élu par le Conseil Central et sera composé de douze membres élus comme suit :.

(*a*) Six membres du Conseil Central ;

(*b*) Deux membres des Etats qui ne sont pas membres du Conseil Central ;

(*c*) les quatre autres membres dont trois au moins seront des femmes seront choisis par le Conseil Central de parmi des personnes qui ont intérêt dans le bien-être des enfants qu'ils soient ou non membres du Conseil Central ou membres des Etats.

Les Jurés-Justiciers seront inéligibles au Conseil établi par cette loi.

(2) Sujet aux dispositions de cette section et de la section (3) de cet article les membres seront élus pour le terme de trois ans, pourvu que quatre, dont

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deux seront pris de la classe (*a*) et deux de parmi ceux des classes (*b*) et (*c*), sortiront de charge à la fin de la première année et quatre à la fin de la seconde année selon qu'il sera déterminé par le sort. Les membres sortant de charge seront ré-éligibles.

(3) Les élections de membres auront lieu pendant le mois de décembre et prendront effet à compter du premier janvier ensuivant ; pourvu toutefois que la première élection aura lieu assitôt que possible après la date de l'enregistrement sur les Records de cette Ile de l'Ordre de Sa Majesté en Conseil sanctionnant cette loi et les membres élus à cette élection resteront en office jusqu'à la fin du mois de décembre de l'année ensuivante.

Dans le cas d'une vacance autrement que par l'expiration du terme d'office d'un membre, le remplaçant sera élu pour le terme non expiré de celui qu'il remplace.

(4) Dans les assemblées du Conseil des Enfants sept membres formeront un quorum.

(5) Le Président, le Vice-Président, le Trésorier et le Secrétaire seront élus par le Conseil des Enfants de parmi les membres du dit Conseil.

ARTICLE IV.

Les Relations entre le Conseil Central et le Conseil des Enfants.

(1) Le Conseil Central

(*a*) exercera un pouvoir de contrôle sur le Conseil des Enfants ;

(*b*) fera des règlements qui pourront être désirables pour le fonctionnement du Conseil des Enfants ;

(*c*) prendra en considération et approuvera après amendement, le cas échéant, les budgets du Conseil des Enfants et les transmettra au Comité des Finances des Etats ;

(*d*) s'assemblera au moins une fois par mois pour prendre en considération 1928

(1) les rapports statistiques et autres du Conseil des Enfants lesquels seront rédigés de la manière prescrite par le Conseil Central ;

(2) des cas exceptionnels où il pourra être, ou a été, pendant le mois, nécessaire d'accorder un paiement additionnel au-delà du maximum fixé pour le maintien d'un enfant quelconque ;

(3) toutes demandes de la part du Conseil des Enfants pour des dépenses autres que des dépenses ordinaires ;

(4) toutes autres affaires qui exigent l'attention du Conseil Central ;

(*e*) fixera le taux maximum des paiements pour maintien des enfants en pension chez des particuliers en cette Ile et dans les institutions en Angleterre, lesquels paiements comprendront les habillements et chaussures des enfants.

(2) Le Conseil des Enfants s'assemblera au moins une fois par mois et

(*a*) surveillera généralement les affaires de l'Asile des Enfants ;

(*b*) préparera un budget annuel et le transmettra au Conseil Central ;

(*c*) soumettra pour la sanction du Conseil Central des cas exceptionnels où il pourra être, ou a été, pendant le mois, nécessaire d'accorder un paiement additionnel au-delà du maximum fixé pour le maintien d'un enfant quelconque ;

(*d*) préparera des rapports qui pourront être requis en vertu des règlements faits par le Conseil Central.

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ARTICLE V.

Le Conseil des Enfants, outre le soin des enfants qui lui est accordé par cette loi pendant qu'ils sont dans l'Asile, pourra soit les mettre en pension chez des particuliers en cette Ile soit les envoyer en Angleterre et les placer dans des Institutions pour recevoir de l'instruction.

ARTICLE VI.

Les frais pour le maintien des enfants dans le dit Asile, dans des maisons particulières, ou pendant qu'ils sont à l'Hôpital pour maladie, ainsi que les frais de voyage et de maintien dans les Institutions en Angleterre seront placés au débit du Conseil des Enfants et seront payés par les Etats.

ARTICLE VII.

La Cour Royale est autorisée à passer toutes et telles Ordonnances qu'elle croira nécessaires pour la mise à exécution de cette loi.

(*Enregistré sur les Records le 1er décembre* 1928.)

AT THE COURT AT BUCKINGHAM PALACE.

The 20th day of November, 1928.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD STEWARD

LORD EUSTACE PERCY

SECRETARY SIR W. JOYNSON-HICKS

SECRETARY SIR JOHN GILMOUR

MAJOR-GENERAL SIR F. SYKES.

Loi supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 8th day of November, 1928, in the words following, viz.:—

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"YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :— " (1) That by an Order of Your Majesty in Council of the 9th day of October, 1924, registered on the Records of this Island on the 17th day of November, 1924, Your Majesty was graciously pleased to ratify and confirm a Bill or Projet de Loi of the States of this Island intituled 'Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' which contains in Article XIV (11) the following provision :—

'11. Section 1 of this Article shall remain in force for a term of three years only, at the expiration of which period it shall be again considered by the States of Deliberation.'

" 2. That for the reasons set forth in the preamble thereof and in order to obviate the difficulties which might arise if the said Law should become inoperative, the States on the 23rd day of November, 1927, duly considered a supplementary Bill in the matter, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.

" 3. That the said Bill is intituled 'Loi Supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' and is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi Supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' and to order and direct that the same shall have the force of Law in the Island of Guernsey."

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"YOUR MAJESTY having been further pleased by Order in Council of the 20th day of December, 1927, to direct that the said Projet de Loi should not be brought into operation and have the force of Law within the Island of Guernsey for one year from the date of the said Order in Council, during which period Article XIV, section 1, of the Law intituled 'Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' approved by Order in Council of the 9th day of October, 1924, should, notwithstanding section 11 of the said Article, be of full force and effect.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that a period of one year from the date of the Order in Council of the 20th December, 1927, having by then elapsed, it may be advisable for Your Majesty to approve of and ratify the said Projet de Loi and to direct that it shall have the force of Law within the Island of Guernsey as from the 1st day of January, 1929."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi (a copy of which is hereunto annexed), and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey as from the 1st day of January, 1929.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons

whom it may concern, are to take notice and govern themselves accordingly. 1928

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI AYANT RAPPORT À LA COMPENSATION POUR ACCIDENTS AUX OUVRIERS, 1924.

Article XIV section 11 of the Law of 1924 repealed

Whereas by a resolution of the States dated the 23rd day of November, 1927, it was resolved that in view of the reasons which moved the States to establish a system of State-aided "all round the clock" insurance of workers against personal injuries, and in view of the results of the working of the same during three years as set forth in the letter of the President of the States Insurance Authority of October 28th, 1927, and in view of the terms of Article XIV, section 11, of the said Law intituled "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," the said system should be made permanent and that Article XIV, section should be repealed.

Article XIV, section 11, of the said Law "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924,' is hereby repealed.

(Enregistré sur les Records le 15 décembre 1928.)

Ordre en Conseil ayant référence à l'exécution d'une Commission pour la transaction des affaires

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant-Gouverneur en date du 10 décembre 1928, transmettant des exemplaires d'un Ordre de Sa Majesté en Conseil en date du 4 décembre 1928, ayant référence à l'exécution d'une Commission pour

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d'Etat pendant la maladie de Sa Majesté.

la transaction des affaires d'Etat pendant la maladie de Sa Majesté.

La Cour, a ordonné qu'un des dits exemplaires sera enregistré par être logé au Greffe et qu'un extrait des Registres avec un des dits exemplaires sera transmis à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

ORDRES EN CONSEIL.

(Enregistré sur les Records le 21 janvier 1929.)

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AT THE COURT AT BUCKINGHAM PALACE,
The 21st day of December, 1928.

PRESENT,

HER MAJESTY THE QUEEN.
HIS ROYAL HIGHNESS THE PRINCE OF WALES.
HIS ROYAL HIGHNESS THE DUKE OF YORK.
ARCHBISHOP OF CANTERBURY,
LORD CHANCELLOR. PRIME MINISTER.

LORD CHAMBERLAIN.
SECRETARY SIR W. JOYNSON-HICKS.
HON. WALTER GUINNESS.

Loi ayant rapport à la protection de Noms, d'Uniformes et d'Insignes d'Associations incorporées par Charte Royale.

WHEREAS HIS MAJESTY was pleased by His Commission dated the 4th day of December, 1928, to nominate and appoint Her Majesty the Queen, His Royal Highness The Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness The Duke of York, K.G., K.T., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required :

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 29th day of November, 1928, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May,

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1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reason set forth in the preamble thereto, the Royal Court, at a meeting held on the 27th October, 1928, adopted a Bill or Projet de Loi prepared by the Law Officers of the Crown, intituled ' Loi ayant rapport à la Protection de Noms, d'Uniformes et d'Insignes d'Associations incorporées par Charte Royale ' and requested the Bailiff to submit the same to the States for approval ; (2) That on the 21st November, 1928, the said Bill or Projet de Loi was submitted to and approved by the States, and the President was authorized to submit a most humble Petition to Your Majesty in Council praying for Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition. And most humbly praying that Your Majesty would be graciously pleased to approve and ratify the Bill or Projet de Loi intituled ' Loi ayant rapport à la Protection de Noms, d'Uniformes et d'Insignes d'Associations incorporées par Charte Royale,' and to order and direct that the same shall have the force of law within the Island of Guernsey from the date of the registration of the Order of Your Majesty sanctioning the same."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

NOW, THEREFORE, Her Majesty The Queen, His Royal Highness The Prince of Wales, His Royal Highness The Duke of York, His Grace the Archbishop of Canterbury, the Lord High Chancellor of Great Britain, and the Prime Minister and First Lord

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of the Treasury, being authorised thereto by His Majesty's said Commission have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, and on His Majesty's behalf approve of and ratify the said Projet de Loi, and order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And do hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

LOI AYANT RAPPORT À LA PROTECTION DE NOMS, D'UNIFORMES ET D'INSIGNES D'ASSOCIATIONS INCORPORÉES PAR CHARTE ROYALE.

Attendu qu'il convient de légiférer pour la protection de noms, d'uniformes et d'insignes des associations incorporées par Charte Royale qui sont protégés par Ordre de Sa Majesté en Conseil en vertu de l'Acte du Parlement intitulé " The Chartered Associations (Protection of Names and Uniforms) Act, 1926," la loi qui ensuit, rédigée en anglais, aura force dans cette Ile.

ARTICLE I.

Definitions.

Définitions

For the purposes of this law an " Association " means an association protected under the provisions of the Chartered Associations (Protection of Names and Uniforms) Act, 1926.

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ARTICLE II.

Unauthorised use of protected badge, uniform, name, etc., forbidden

Where by an Order of His Majesty in Council made on the application of any association in pursuance of the above-mentioned Act the use by an association of any name, designation, uniform or badge has been protected, a person shall not, without the authority of the Association, use the name, designation, uniform or badge, the use of which is so protected, or any name, designation, uniform or badge so closely resembling the name, designation, uniform or badge, the use of which is protected as to lead to the belief that it is that name, designation, uniform or badge.

ARTICLE III.

Exceptions

Nothing in this law shall prevent

(*a*) any person from wearing or using any uniform, badge or distinctive marking in the course or for the purpose of a stage play or representation, or a music hall or circus performance, pageant or production of a cinematograph film, if the uniform, badge or distinctive mark is not worn or used in such manner or under such circumstances as to bring it into contempt ;

(*b*) the continual use of any mark or device which has been *bona fide* used as a trade mark before the coming into force of this law.

ARTICLE IV.

Penalty for infraction

If any person acts in contravention of this law he shall be liable in respect of each offence, on summary conviction, to a fine not exceeding ten pounds.

(*Enregistré sur les Records le 16 février 1929.*) 1929

Convention relative à la ligne limite de la zone réservée à la pêche française dans la baie de Granville

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant-Gouverneur en date du 9 janvier 1929 transmettant une copie imprimée d'une convention conclue entre le Gouvernement de la République Française d'une part et le Gouvernement du Royaume-Uni de la Grande Bretagne et l'Irlande du Nord et le Gouvernement de l'Etat Libre d'Irlande d'autre part, ayant référence à la ligne limite de la zone réservée à la pêche française dans la baie de Granville ; la Cour, ouïes les conclusions des Officiers du Roi a ordonné que la dite convention sera logée au Greffe.

(*Enregistré sur les Records le 23 février 1929.*)

AT THE COURT AT BUCKINGHAM PALACE,
The 29th day of January, 1929.

PRESENT,

HER MAJESTY THE QUEEN.
HIS ROYAL HIGHNESS THE DUKE OF YORK.
LORD CHANCELLOR. PRIME MINISTER.

MASTER OF THE HORSE
LORD COLEBROOKE
SECRETARY SIR W. JOYNSON-HICKS
SECRETARY SIR S HOARE.

Loi ayant rapport aux Préservatifs et autres substances dans les aliments

WHEREAS HIS MAJESTY was pleased by His Commission, dated the 4th day of December, 1928, to nominate and appoint Her Majesty The Queen, His Royal Highness The Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness The Duke of York, K.G., K.T., G.C.M.G., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or

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any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required :

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2nd day of January, 1929, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 21st day of May, 1927, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi ayant rapport aux Préservatifs dans les Aliments,' and requested the Bailiff to submit the same to the States for their approval : (2) That on the 15th day of June, 1927, the said Bill was duly considered by the States of Deliberation, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (3) That, accordingly, the said Bill or Projet de Loi was duly forwarded for Your Majesty's Royal Sanction on the 20th day of June, 1927, and was returned on the 20th July following with certain observations of the Ministry of Health with a view to its amendment : (4) That the said amendments having been duly made on the 21st day of November, 1928, the President was authorized to incorporate them in the Projet de Loi and submit the same to Your Majesty in Council for Your Royal Sanction : (5) That the amended Projet de Loi is intituled ' Loi ayant rapport aux Préservatifs et autres substances dans les Aliments,' and is in the

words and figures set forth in the Schedule hereunto annexed. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi ayant rapport aux Préservatifs et autres substances dans les Aliments,' and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1929

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

NOW, THEREFORE, Her Majesty The Queen, His Royal Highness The Duke of York, the Lord High Chancellor of Great Britain, and the Prime Minister and First Lord of the Treasury, being authorized thereto by His Majesty's said Commission, have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf, approve the same and approve of and ratify the said Projet de Loi, and do order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And do hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

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" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI AYANT RAPPORT AUX PRÉSERVATIFS ET AUTRES SUBSTANCES DANS LES ALIMENTS.

Attendu que le " Minister of Health " en Angleterre a fait des règlements dits " The Public Health (Preservatives, &c., in Food) Regulations, 1925-1927 " qui ont pour objet de prohiber la vente d'aliments contenant certains préservatifs :

Attendu qu'il est expédient d'adopter des règlements semblables aux dits règlements en force en Angleterre :

Les règlements qui ensuivent, rédigés en anglais, auront force de loi en cette Ile.

PART I.

DEFINITIONS.

1.—(1) In this law unless the context otherwise requires :—" The Committee " means the States Committee for Health ; " The Board " means the States Board of Administration ; " Food " or " articles of food " means food or drink intended for human consumption and to which this law applies ; " Cream " means that portion of milk rich in milk-fat which has been separated by skimming or otherwise and is intended for human consumption ; " Preservative " means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other decomposition of food or of masking any of the evidence of putrefaction ; but does not include common salt (sodium chloride), saltpetre (sodium or potassium nitrate), sugars, lactic acid, acetic acid or vinegar, glycerine, alcohol or potable spirits, herbs, hop extract, spices and essential oils used for flavouring purposes or any

substance added to food by the process of curing known as smoking ; 1929

" Thickening substances " means sucrate of lime, gelatine, starch paste or any other substance which when added to cream is capable of increasing its viscosity, but does not include cane or beet sugar ;

" Sulphur dioxide " includes sulphites, and " benzoic acid " includes " benzoates " ;

" Sell " includes expose or offer for sale or deposit in any place for the purpose of sale, and " sale " shall be construed accordingly ;

" Importer " includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of or in any wise entitled to the custody or control of any article of food brought from a place situate outside the Islands of the Bailiwick ; and " import " shall be construed accordingly.

(2) Percentages shall be calculated by weight.

(3) Sulphites shall be calculated as sulphur dioxide (SO^2) and benzoates as benzoic acid (C^6H^5COOH).

PART II.

Sale of Articles of Food and Preservatives.

2. The Committee and every Officer authorised in writing by the Committee shall execute and enforce this law, and for this purpose shall make such enquiries and take such other steps as may seem to be necessary for securing the due observance of this law.

3.—(1) No person shall manufacture for sale or sell any article of food which contains any added preservative or any added colouring matter being one of those specified in Part II of the First Schedule to this law.

Provided that :—

(i) any article of food specified in Part I of the

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said Schedule may contain preservative of the nature and in the proportion therein specified;

(ii) where an article of food specified in Part I of the said Schedule otherwise than in item 4 thereof is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that part of the Schedule shall not exceed the proportion therein specified.

(iii) The provision of this article shall not apply so as to prohibit the presence of sulphur dioxide in any article of food other than meat if it is shown either—

(*a*) that the article not being an article specified in Part I of the said Schedule is intended to be used in the preparation of an article which is so specified, or

(*b*) that the article being itself an article so specified, other than fruit or fruit pulp, is intended to be so treated before it is sold or exposed for sale by retail as to comply with the provisions of the Schedule as regards the proportion of sulphur dioxide contained.

(2) The following provisions shall have effect with respect to any of the articles of food mentioned in paragraph 1 of the Second Schedule to this law which contains any preservative specified in Part I of the First Schedule as permissible in the case of such article, that is to say—

(*a*) a person who exposes or offers any such article for sale by retail shall at the time when it is so exposed or offered either cause the articles to be labelled in accordance with the rules set out in the said Second Schedule, or cause a notice to the effect that the article contains preserva-

tive to be exhibited in a conspicuous place so as to be easily readable by a customer ; and

(*b*) a person who sells any such article shall cause it to be labelled in accordance with the said rules at the time when it is delivered to any purchaser, agent or broker :

Provided that :—

(i) Neither the requirement mentioned in paragraph (*a*) nor that mentioned in paragraph (*b*) shall apply where the article is exposed or offered for sale by retail or delivered to a customer in a hotel, restaurant or other such place for consumption on the premises ; and

(ii) the requirement mentioned in paragraph (*b*) shall not apply where the article is sold by retail and delivered to the purchaser at the vendor's premises or stall if such notice as is mentioned in paragraph (*a*) is there exhibited as provided in that paragraph.

(3) No person shall sell cream which contains any thickening substance.

4.—(1) No person shall sell any article which is recommended in any mark or label placed thereon or on its receptacle or container for use as a preservative of, or colouring matter for, any article of food or is described or referred to in any such mark or label in terms likely to lead to its being so used—

(i) if such use would be contrary to the regulations contained in this law ; or

(ii) if in the case of a preservative, it is not labelled in accordance with the rules set out in the Second Schedule to this law.

(2) No person shall on or in connection with the sale of any article or in any advertisement, circular or notice relating thereto recommend it for use as a preservative of, or colouring matter for, any article of food, or describe or refer to it in terms likely to

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lead to its being so used, if such use would be contrary to the regulations contained in this law.

(3) No person shall sell any article which is recommended in any such mark or label as aforesaid for use as a thickening substance for cream or is described or referred to in any such mark or label in terms likely to lead to its being so used, and no person shall on or in connection with the sale of any article or in any advertisement, circular or notice relating thereto recommend it for use as a thickening substance for cream or describe or refer to it in terms likely to lead to its being so used.

5.—(1) Any officer authorised in writing by the Committee and acting in the execution of this law shall have power to enter at all reasonable times any premises where articles to which this law applies are prepared, packed, labelled or stored.

(2) The officer may take samples of any such article or of any substance used or capable of being used in the preparation of any such article and of any labels designed to be affixed to any such article or to any package or other receptacle containing such article, but shall if so required make reasonable payment for any samples so taken.

(3) The officer taking or purchasing any sample with the intention of submitting the same to analysis shall forthwith notify the owner, seller or his agent of his intention to have the same analysed by the States Analyst, and shall offer to divide the sample into three parts, to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature will permit, and shall, if required to do so, proceed accordingly and shall deliver one of the parts to the owner, seller or his agent.

He shall afterwards retain one of the said parts for future comparison and submit the third part, if he deem it right to have the article analysed, to the States Analyst.

(4) If the owner, seller or his agent do not accept the offer of the Officer to divide the sample taken or purchased in his presence, the Analyst receiving the sample for analysis shall divide the same into two parts, and shall seal or fasten up one of these parts and shall cause it to be delivered, either upon receipt of the sample or when he supplies his certificate to the purchaser, who shall retain the same for production in case proceedings shall afterwards be taken in the matter.

6. Where it appears to the Committee that any article has been sold contrary to the provisions of Article 3 or 4 of this law, the Committee may, instead of or in addition to taking proceedings against the seller, take proceedings against any previous seller of the article.

PART III.

Importation of Articles of Food.

7.—(1) Subject to any directions given by the Board after consultation with the Committee, the States Officer of Customs shall have power to take such samples as may be necessary of consignments of imported articles to which this law applies.

(2) Where an Officer of the Customs takes a sample for the purpose of analysis he shall send a portion thereof to the States Analyst and a portion thereof to the importer.

(3) Where the duties of an Officer of the Customs with regard to the examinatoin of a cargo or consignment comprising an article of food have not been wholly discharged, a sample of that article shall not be taken without his consent, but he shall afford such facilities as the circumstances require for the taking of samples in pursuance of this article.

8. If in any case the Board is of opinion that an offence has been committed, the Board shall com-

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municate to the Committee for its information the name of the importer and such other facts as it may possess or may obtain as to the destination of the consignment.

9.—(1) No person shall import into the Island any article of food intended for sale which contains any added preservative or any added colouring matter being one of those specified in Part II of the First Schedule to this law :

Provided that :—

(i) any article of food specified in Part I of the said Schedule may contain preservative of the nature and in the proportion therein specified :

(ii) where an article of food specified in Part I of the said Schedule otherwise than in item 4 thereof is used in the preparation of any other article of food, the latter article may contain any preservative necessarily introduced by the use of the former article, but the total proportion of any one preservative contained in any article of food specified in that part of the Schedule shall not exceed the proportion therein specified.

(iii) The provision of this article shall not apply so as to prohibit the presence of sulphur dioxide in any article of food other than meat if it is shown either—

(*a*) that the article not being an article specified in Part I of the said Schedule is intended to be used in the preparation of an article which is so specified, or

(*b*) that the article being itself an article so specified, other than fruit or fruit pulp, is intended to be so treated before it is sold or exposed for sale by retail as to comply with the provisions of the Schedule as regards the proportion of sulphur dioxide contained.

(2) No person shall import into this Island any cream intended for sale which contains any thickening substance. 1929

PART IV.

MISCELLANEOUS.

10. The provisions of this law with respect to prohibiting any preservative or colouring matter or thickening substances in articles of food and requiring the labelling of certain articles of food and of articles sold as preservatives shall not apply in the case of any article which is intended to be exported or re-exported to places other than Great Britain or Northern Ireland or intended for use as ships' stores.

11.—(1) In any proceedings under this law the certificate of the States Analyst of the result of the chemical examination of a sample shall be sufficient evidence of the facts therein stated unless the defendant requires that the person who made the examination be called as a witness.

(2) In any proceedings under this law where the fact that any article had been dealt with contrary to this law has been proved, if the defendant desires to rely upon the exceptions or provisions contained in this law with reference to such article being sold for consumption on the premises, or being intended for export or re-export or for use as ships' stores, it shall be incumbent upon him to prove that the article was so sold or was intended for export or re-export or for use as ships' stores.

12. A person shall, if so required, give to the Officer of Customs who is acting in the execution of this law all reasonable assistance in his power, and shall, in relation to anything within his knowledge, furnish such officer with all information which he may reasonably require for the purpose of this law, including information as to the persons for whom

1929 or places from which any article to which this law applies has been obtained and to whom and to which it has been consigned or otherwise disposed of.

PENALTIES.

13.—Any person who shall act in contravention of the provisions of this law or who shall refuse to allow an Officer duly authorised by the Committee or an Officer of the Customs to take or purchase a sample of any article of food to which this law applies, or shall in any way impede them in so doing, or who shall wilfully attach a label to any article of food to which this law applies containing any false statement of fact, shall be guilty of an offence and be liable on summary conviction to a fine not exceeding twenty pounds.

FIRST SCHEDULE.

PART I.

Articles of food which may contain Preservative and nature and proportion of Preservative in each case.

The articles of food specified in the first column of the following table may contain the preservative specified in the second column in proportions not exceeding the number of parts (estimated by weight) per million specified in the third column :—

FOOD.	PRESERVATIVE.	PARTS PER MILLION.
1. Sausages and sausage meat containing raw meat, cereals and condiments.	Sulphur dioxide	450
2. Fruit and fruit pulp (not dried) for conversion into jam or crystallised glaci or cured fruit as defined in items 6 & 7 :		
(*a*) Cherries.	do.	3000
(*b*) Strawberries and raspberries.	do.	2000
(*c*) Other fruit	do.	1500
3. Dried fruit :		
(*a*) Apricots, peaches, nectarines, apples and pears.	do.	2000
(*b*) Raisins and sultanas.	do.	750
4. Unfermented grape juice and non-alcoholic wine made from such grape juice if labelled in accordance with the rules contained in the Second Schedule to these Regulations.	Benzoic acid.	2000
5. Other non-alcoholic wines, cordials and fruit juices, sweetened or unsweetened.	Either Sulphur dioxide or Benzoic acid.	350 600
6. Jam (including marmalade and fruit jelly prepared in the way in which jam is prepared.	Sulphur dioxide.	40
7. Crystallised glaci or cured fruit (including candied peel).	do.	100
7*a*. Fruit and fruit pulp not otherwise specified in this schedule.	do.	350
8. Sugar (including Glucose) and cane syrups.	do.	70
8*a*. Cornflour (maize starch) and other prepared starches.	do.	100
9. Corn syrup (liquid Glucose).	do	450
10. Gelatine	do.	1000
11. Beer.	do.	70
12. Cider.	do.	200
13. Alcoholic wines.	do.	450
14. Sweetened mineral waters.	Either Sulphur dioxide or Benzoic acid.	70 20
15. Brewed ginger beer.	Benzoic acid.	120
16. Coffee extract.	do.	450
17. Pickles and sauces made from fruit or vegetables.	do.	250

PART II.

Colouring matters which may not be added to Articles of Food.

1. Metallic Colouring Matters. Compounds of any of the following metals :—
   Antimony, Arsenic, Cadmium, Chromium, Copper, Mercury, Lead, Zinc.
2. Vegetable Colouring Matter. Gamboge.
3. Coal Tar Colours.

Number in Colour Index of Society of Dyers and Colourists, 1924.	NAME.	SYNONYMS.
7	Picric Acid.	Carbazotic Acid.
8	Victoria Yellow.	Saffron Substitute ; Dinitrocresol.
9	Manchester Yellow.	Naphthol Yellow. Martius Yellow.
12	Aurantia.	Imperial Yellow.
724	Aurine.	Rosolic Acid ; Yellow Coralline.

SECOND SCHEDULE.

LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE AND OF PRESERVATIVES.

1.—The articles of food containing preservative to which the Rules as to labelling set out in this Schedule apply are sausages, sausage-meat, coffee extract, pickles and sauces, and (where the proportion of benzoic acid exceeds 600 parts per million) grape juice and wine.

2.—(1) Where any of the said articles of food contains preservative, it shall bear a label on which is printed the following declaration or such other declarations substantially to the like effect as may be allowed by the Committee :—

(a) CONTAIN(S) PRESERVATIVE.

(2) The declaration shall be completed by inserting at (*a*) the word "This" or "These," followed by the name of the Food as used in paragraph I. of this Schedule.

(3) In the case of grape juice or wine to which these rules apply there shall be added to the declaration the words "and is not intended for use as a beverage."

3.—(1) An article sold as a preservative shall bear a label on which is printed the following declaration or such other declaration substantially to the like effect as may be allowed by the Committee :—

This Preservative contains (a) Per Cent. of Sulphur Dioxide.

(2) Where the article contains benzoic acid the words "Benzoic Acid" shall be substituted for the words "Sulphur Dioxide."

(3) The declaration shall be completed by inserting at (*a*) in words and figures, excluding fractions (*e.g.*, "seventy (70)") the true percentage of the sulphur dioxide or benzoic acid present in the article.

4. The prescribed declaration shall in each case be printed in dark block type upon a light-coloured ground within a surrounding line, and no other matter shall be printed within such surrounding line. The type used shall not be less than one-eighth of an inch in height, or, in the case of grape juice or wine to which these rules apply, one-sixteenth of an inch in height.

5. The label shall be securely affixed to the article or be part of or securely affixed to the wrapper or container, and in any case shall be so placed as to be clearly visible. If the article bears a label containing the name, trade mark, or design represent-

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ing the brand of the article or the name and address of the manufacturer or dealer, the prescribed declaration shall be printed as part of such label.

6. No comment on or explanation of the prescribed declaration (other than any direction as to use in the case of a preservative) shall be placed on the label or on the wrapper or container.

(Enregistré sur les Records le 23 mars 1929.)

Autorisant la levée d'une Taxe d'un chelin sur passagers atterrissant à Sercq pendant l'année 1929.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre des autorités représentants de Sa Majesté le Roi en Conseil en date du 1er mars 1920, autorisant les Chefs-Plaids de l'Ile de Sercq à lever pendant l'année mil neuf cent vingt-neuf une taxe d'un chelin sur tous passagers (autres que les habitants de la dite Ile) atterrissant à Sercq :—

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre sera enregistré sur les Records de cette Ile, et qu'un extrait des Registres de ce présent Acte sera envoyé à Monsieur le Sénéchal de Sercq avec un exemplaire du dit Ordre en Conseil.

(Enregistré sur les Records le 23 mars 1929.)

AT THE COUNCIL CHAMBER, WHITEHALL.

The 1st day of March, 1929.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF YORK

LORD CHANCELLOR.

PRIME MINISTER.

LORD SOUTHBOROUGH.

CHANCELLOR OF THE DUCHY OF LANCASTER.

SECRETARY SIR W. JOYNSON-HICKS.

Loi relative au Rachat de Rentes.

WHEREAS HIS MAJESTY was pleased by His Commission, dated the 4th day of December, 1928, to nominate and appoint Her Majesty The Queen,

His Royal Highness The Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness The Duke of York, K.G., K.T., G.C.M.G., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required : 1929

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 8th day of February, 1929, in the words following, viz.:—

"YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on December 8, 1928, adopted a Bill or Projet de Loi intituled 'Loi relative au Rachat de Rentes,' prepared by the Law Officers of the Crown, and requested the Bailiff to submit the same to the States of Deliberation for their approval ; (2) That on the 16th day of January, 1929, the said Bill or Projet de Loi was duly considered by the States, when a resolution was adopted approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule annexed to the Petition and humbly praying that Your Majesty would be graciously pleased to grant

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Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi relative au Rachat de Rentes,' and to order and direct that the same shall have the force of Law in the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

NOW, THEREFORE, His Royal Highness The Duke of York, The Lord Chancellor of Great Britain, and the Prime Minister and First Lord of the Treasury, being authorized thereto by His Majesty's said Commission have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf approve of and ratify the said Projet de Loi, and order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And do hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1929

LOI RELATIVE AU RACHAT DE RENTES.

Attendu que les Etats par leur délibération en date du 24 octobre 1928 adoptèrent le principe que tout débiteur de rente a le droit de s'en dégager à un prix raisonnable, ayant égard en même temps à une compensation raisonnable payable au propriétaire pour le rachat compulsoire de la rente.

ARTICLE I.

Prix de rachat.

Lorsqu'un prix inférieur de rachat n'a pas été fixé par contrat toute rente payable soit en froment, soit en argent ou autre forme de redevance sera désormais imprescriptiblement rachetable à un prix qui équivaudra la somme totale de vingt-quatre fois le montant annuel actuellement payable par rapport à la dite rente, avec la proportion de l'année échue lors de l'acquêt.

ARTICLE II.

Rentes payables en canards, anguilles ou pains.

Lorsqu'il s'agit du rachat de rentes payables en canards, anguilles ou pains, ces rentes seront estimées comme suit :—

Un canard à deux denerels de froment ;
Une anguille à un quint de froment ;
Un pain à un quint de froment.

ARTICLE III.

Douaire, franc veuvage ou autre jouissance.

Le survivant des époux n'aura point de réclamation soit pour douaire, soit pour franc veuvage ou autre jouissance, selon le cas, sur une rente qui étant la propriété du prédécédé d'eux aura été rachetée pendant la vie de tel prédécédé en vertu de cette loi.

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ARTICLE IV.

Rentes et redevances Seigneuriales

La présente loi ne s'appliquera pas aux rentes et redevances Seigneuriales. Si toutefois tous les tenants d'un fief, autre qu'un fief appartenant à Sa Majesté, désirent unanimement racheter des Chef-rentes ou des droits Seigneuriaux semblables, le Seigneur du dit fief sera tenu de les vendre au prix imposé par l'article premier de cette loi.

ARTICLE V.

Stipulation de non-rachat limitée à 30 ans.

Sera nulle et de nul effet après trente ans de la création de la rente toute stipulation qui déclare qu'une rente ne sera pas rachetable pour une période excédant trente ans.

ARTICLE VI.

Loi de 1911 rappelée.

Est et demeure rappelée la Loi relative au Rachat de Rentes sanctionnée par un ordre de Sa Majesté en Conseil en date du 10 novembre 1911 enregistré sur les Records de cette Ile le 25 novembre 1911.

(Enregistré sur les Records le 1er juin 1929.)

Berne Copyright Convention (Portuguese Colonies and Spanish Colonies) Order—1929.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre des autorisés représentants de Sa Majesté le Roi en Conseil en date du 7 mai, 1929, transmettant des exemplaires d'un Ordre en Conseil intitulé " Order in Council of the 7th May, 1929, entitled ' The Berne Copyright Convention (Portuguese Colonies and Spanish Colonies) Order, 1929.' "

La Cour, après avoir eu lecture du dit Ordre en date du 7 mai, 1929, communiqué, ouïes les conclusions des Officiers du Roi, a ordonné :—

1. Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette Ile.
2. Qu'un exemplaire du dit Ordre en Conseil

transmis sera logé au Greffe pour faire partie des Records de cette île. 1929

3. Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 1er juin* 1929.)

AT THE COURT AT ST. JAMES,
The 7th day of May, 1929.

PRESENT,

HIS ROYAL HIGHNESS THE PRINCE OF WALES.

LORD CHANCELLOR
PRIME MINISTER
ARCHBISHOP OF YORK
EARL STANHOPE
VISCOUNT PEEL
SECRETARY SIR W. JOYNSON-HICKS
SIR BINOD MITTER
MR. ALEXANDER MACROBERT.

Loi relative à la Sodomie.

WHEREAS HIS MAJESTY was pleased by His Commission dated the 4th day of December, 1928, to nominate and appoint Her Majesty The Queen, His Royal Highness the Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness The Duke of York, K.G., K.T., G.C.M.G., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required :

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AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 19th day of April, 1929, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That by an Order of Your Majesty in Council of the 25th day of May, 1911, registered on the Records of this Island on the 17th day of June, 1911, Your Majesty was graciously pleased to ratify and confirm a Bill or Projet de Loi intituled ' Loi relative à la Sodomie.' (2) That present legislation on this subject and in particular with reference to acts of indecency between male persons being insufficient, the Royal Court on the 23rd day of February, 1929, passed a new Bill or Projet de Loi, prepared by the Law Officers of the Crown, and requested the Bailiff to submit the same to the States of Deliberation for their approval. This new law is identical with that in force in England : (3) That on the 20th day of March, 1929, the said Bill or Projet de Loi was submitted to the States, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (4) That the said Bill or Projet de Loi is intituled ' Loi relative à la Sodomie,' and is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi relative à la Sodomie,' and to order and direct that the same shall have the force of Law within the Island of Guernsey."

" THE LORDS OF THE COMMITTEE, in

obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi." 1929

NOW, THEREFORE, His Royal Highness The Prince of Wales, the Lord High Chancellor of Great Britain, and the Prime Minister and First Lord of the Treasury, being authorized thereto by His Majesty's said Commission have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf approve of and ratify the said Projet de Loi, and order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And do hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI RELATIVE À LA SODOMIE.

Pénalité pour personne trouvée coupable de Sodomie.

1. Toute personne qui sera trouvée coupable du crime abominable de Sodomie, commis soit sur le genre humain, soit sur aucun animal, sera passible

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à discrétion de Justice, à être envoyée à la servitude pénale pour sa vie ou pour aucun terme qui ne sera pas moindre de trois ans, ou à être emprisonnée pour aucun terme n'excédant pas deux ans avec ou sans travail forcé.

Pénalité pour essai de commettre le crime sur personne mâle.

2. Toute personne qui essayera de commettre le crime abominable susdit, ou qui sera coupable d'aucun assaut avec l'intention de commettre le dit crime, ou d'aucun assaut indécent sur aucune personne du sexe mâle, sera passible d'un délit et étant trouvée coupable sera passible à discrétion de Justice, à être envoyée à la servitude pénale pour aucun terme qui n'excédera pas dix ans et ne sera pas moindre de trois ans ou à être emprisonnée pour aucun terme n'éxcédant pas deux ans avec ou sans travail forcé.

Assaut indécent sur un enfant.

Lorsqu'il s'agit d'une accusation ou d'un acte d'accusation pour un assaut indécent sur un enfant ou jeune personne au dessous de l'âge de seize ans, la preuve que tel enfant ou jeune personne a consenti à l'acte d'indécence ne sera pas reçue comme défense valable.

Preuve de connaissance charnelle. Pénétration.

Lorsque pendant le procés d'aucune offense punissable sous cette loi, il pourra être nécessaire de prouver connaissance charnelle, il ne sera pas nécessaire de prouver l'émission actuelle de substance afin de constituer une connaissance charnelle, mais la connaissance charnelle sera jugée complète sur la preuve de pénétration seulement.

Pénalité pour acte d'indécence par une personne du sexe mâle avec une personne du même sexe.

3. Toute personne du sexe mâle qui, dans un lieu public ou privé, commet un acte d'indécence grossier avec une autre personne du sexe mâle ou qui prend part à la commission, ou qui procure ou essaye de procurer la commission par une personne quelconque du sexe mâle d'aucun acte d'indécence grossier avec une autre personne du sexe mâle, sera coupable d'un délit et étant trouvée coupable, sera passible à la discrétion de la Cour d'être emprisonnée pour aucun terme qui n'excédera pas deux ans avec ou sans travail forcé.

Est et demeure rappelée la Loi relative à la Sodomie sanctionnée par Ordre de Sa Majesté en Conseil en date du 25 mai 1911 enregistré sur les Records de cette Ile le 17 juin 1911. 1929 Loi de 1911 rappelée.

(Enregistré sur les Records le 8 juin 1929.)

AT THE COURT OF SAINT JAMES,
The 7th day of May, 1929.

PRESENT,

HIS ROYAL HIGHNESS THE PRINCE OF WALES.
LORD CHANCELLOR
PRIME MINISTER.
ARCHBISHOP OF YORK.
EARL STANHOPE.
VISCOUNT PEEL.
SECRETARY SIR W. JOYNSON-HICKS.
SIR BINOD MITTER.
MR. ALEXANDER MACROBERT.

WHEREAS HIS MAJESTY was pleased by His Commission dated the 4th day of December, 1928, to nominate and appoint Her Majesty The Queen, His Royal Highness The Prince of Wales, K.G., K.T., K.P., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., G.B.E., His Royal Highness the Duke of York, K.G., K.T., G.C.M.G., G.C.V.O., the Most Reverend Father in God Cosmo Gordon, Archbishop of Canterbury, the Right Honourable Douglas McGarel, Baron Hailsham, Lord High Chancellor of Great Britain, and the Right Honourable Stanley Baldwin, Prime Minister and First Lord of the Treasury, or any three of them, during His Majesty's illness, to summon and hold on His Majesty's behalf His Privy Council, and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required : Loi relative à la Compensation des Ouvriers (Auregny).

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of

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Guernsey and Jersey, dated the 17th day of April 1929, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney setting forth :— (1) That at the Chief Pleas after Christmas held before the Petitioner on the 17th day of January, 1921, a Petition was presented to the Chief Pleas praying that a scheme of compensation for workmen might be established in this Island, in order that provision might be made for workmen meeting with accidents arising out of and in the course of their employment. (2) That the Chief Pleas were pleased to accept the said Petition and appointed a Committee to enquire into and report to the States on the advisability of introducing legislation on the matter. (3) That the said Committee presented their report to the States at a Meeting held before the Petitioner on the 5th day of October, 1921. (4) That the said Committee recommended that compensation should be payable to the workman by the employer in the event of injury arising out of accidents in the course of his employment, and that compensation should be payable to the dependants by the employer in the event of death ensuing as the result of an accident. (5) That the States were of opinion to accept the said report and the recommendations contained therein, and asked the Court to prepare and submit for their consideration a Projet de Loi giving effect thereto. (6) That at a Meeting of the States holden before the Petitioner the 22nd day of May, 1923, the States took into consideration the Projet de Loi intituled ' Loi relative à la Compensation des Ouvriers ' and proposed certain amendments thereto. (7) That at a Meeting of the States holden before the Petitioner on the 27th day of July, 1925, the said Projet was again considered by the States, and agreed to accept the

same as amended and authorized the Petitioner to present in their name a most humble Petition to Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. (8) That Your Majesty's Secretary of State for Home Affairs made certain suggestions for the consideration of the States in order to place the scale and scope of the proposed compensation on a different basis. (9) That on the 28th day of January, 1926, the States took the said suggestions into consideration and agreed to their being embodied in the said Projet de Loi. (10) That on the 11th day of October, 1928, the States again considered the said Projet de Loi and incorporated therein clauses dealing with the preferential claim to compensation by a workman in the event of the bankruptcy of an employer and with the appointment of medical referees in certain cases. (11) That the said amendments are incorporated in the said Projet de Loi intituled ' Loi relative à la Compensation des Ouvriers ' (a copy whereof is hereunto annexed). 1929

The premises considered the Petitioner most humbly prays Your Majesty to be graciously pleased to grant thereto Your Royal Sanction, and to order that the same shall have force of Law in Your Majesty's said Island of Alderney."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

NOW, THEREFORE, His Royal Highness The Prince of Wales, the Lord High Chancellor of Great Britain, and the Prime Minister and First Lord of the Treasury, being authorized thereto by His Majesty's said Commission have taken the said Report into

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consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf approve of and ratify the said Projet de Loi and order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND do hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

PROJET DE LOI RELATIVE À LA COMPENSATION DES OUVRIERS.

Les Articles qui ensuivent rédigés en Anglais auront force de Loi en cette Ile.

1.—If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with the First Schedule to this Law.

2.—Provided that :—

(*a*) Compensation shall be payable if the injury disables the workman for more than three days from earning full wages at the work at which he was employed, but shall not be pay-

able in respect of the first three days on which he is so disabled unless the incapacity lasts for four weeks or upwards.

(*b*) When the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Law shall affect any civil liability of the employer, but in that case the workman at his option may either claim compensation under this Law or take proceedings independently of this Law: but the employer shall not be liable to pay compensation for injury to a workman by accident arising out of and in the course of his employment both independently of and also under this Law, and shall not be liable to any proceedings independently of this Law, except in case of such personal negligence or wilful act as aforesaid.

(*c*) If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed.

3.—If any question arises in any proceedings under this Law as to the liability to pay compensation under this Law (including as to whether the person injured is a workman to whom this Law applies) or as to the amount or duration of compensation under this Law, the question, if not settled by agreement shall, subject to the provisions of the First Schedule to this Law, be settled by arbitration in accordance with the Second Schedule of this Law.

4.—If, within the time hereinafter in this Law limited for taking proceedings, an action is brought to recover damages independently of this Law for injury caused by any accident, and it is determined, by such action, that the injury is one for which the employer is not liable in such action, but that he

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would have been liable to pay compensation under the provisions of this law, the action shall be dismissed : but the Court shall, if the plaintiff so choose, proceed to assess such compensation but may deduct from such compensation all or part of the costs which, in its judgment have been caused by the plaintiff bringing an action instead of proceeding under this Law. In any proceedings under this sub-section, when the Court assesses the compensation it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction of costs, and such certificate shall have the force and effect of an award under this Law.

5.—Proceedings for the recovery under this Law for compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the workman has voluntarily left the employment in which he was injured and unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident, or, in the case of death, within six months from the time of death. Provided always that :—

(*a*) The want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings if it is found in the proceedings for settling the claim that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect, or inaccuracy, or that such want, defect or inaccuracy was occasioned by mistake, absence from the Is.and, or other reasonable cause ; and

(*b*) The failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that

the failure was occasioned by mistake, absence from the Island or other reasonable cause.

6.—Notice in respect of an injury under this Law shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date on which the accident happened, and shall be served on the employer, or, if there is more than one employer, upon one of such employers.

The notice may be served by the delivery of the same at, or sending it by post in a registered letter addressed to the residence or place of business of the person on whom it is to be served.

7.—Where the employer is a body of persons, corporate or unincorporate, the notice may also be served by delivering the same or by sending it by post in a registered letter addressed to the employer at the office, or, if there be more than one office, any one of the offices of such body.

8.—(1) Where any person (in this section referred to as the principal) in the course of or for the purposes of his trade or business contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation under this Law which he would have been liable to pay if that workman had been immediately employed by him ; and where compensation is claimed from or proceedings are taken against the principal then, in the application of the Law, references to the principal shall be substituted for reference to the employer except that the amount of compensation shall be calculated with reference to the earnings of the workman under the employer by whom he is immediately employed. Provided that, where the contract relates to threshing, ploughing, or other agricultural work, and the contractor provides and uses machinery driven by mechanical

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power for the purposes of such work, he and he alone shall be liable under this Law to pay compensation to any workman employed by him on such work.

(2) Where the principal is liable to pay compensation under this section he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section, and all questions as to the right and amount of any such indemnity shall in default of agreement be settled by arbitration under this Law.

(3) Nothing in this section shall be construed as preventing a workman recovering compensation under this Law from the contractor instead of the principal.

(4) This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about the premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.

9.—(1) Where any employer has entered into a contract with any insurers in respect of any liability under this Law to any workman, then, in the event of the employer becoming bankrupt, or making a composition or arrangement with his creditors, or if the employer is a company in the event of the company having commenced to be wound up, or a receiver or manager of the company's assets by or on the application of debenture holders having been appointed, the rights of the employer against the insurers as respects that liability, shall notwithstanding anything in the enactments relating to bankruptcy and the winding up of companies, be transferred to and vest in the workman, and upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, so however that the insurers shall not be under any greater liability to the

workman than they would have been under to the employer. 1929

(2) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the bankruptcy or liquidation, or as the case may be he may recover the balance from the Receiver or Manager.

(3) This section shall not apply where a company is wound up voluntarily merely for the purpose of reconstruction or of amalgamation with another company.

(4) The amount due in respect of any compensation or liability for compensation accrued before the following date, that is to say :—

(*a*) The date of any order of the Court declaring the employer to be bankrupt.

(*b*) The date of the commencement of the winding up of the company.

(*c*) The date of the appointment of a receiver or manager of the company's assets by or on the application of debenture holders or the date of possession being taken thereof.

Shall be included among the debts which, under the laws and customs of Alderney are in the case of the distribution of the property or assets of a bankrupt or in the winding up of a company, or a seizure of the assets thereof to be paid in priority to all debts other than those charged and secured by registration on the real property of the employer.

For the purpose of this sub-section the debentures of a company both as to principal and interest shall be deemed to be debts not charged and secured by registration on real property notwithstanding that they may be so charged and secured.

(5) The provisions of this section with respect to preferences and priorities shall not apply where the

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bankrupt or the company has entered into such a contract with insurers as aforesaid.

10.—Where the injury for which compensation is payable under this Law was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof—

(1) The workman may take proceedings for such compensation both against that person to recover damages and against any person liable under this Law to pay compensation, but shall not be entitled to recover both damages and compensation ; and

(2) If the workman has recovered compensation under this law the person by whom the compensation was paid, and any person who has been called on to pay an indemnity under section (8) of this Law relating to sub-contracting, shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of any such indemnity shall, in default of agreement, be settled by action, or by consent of the parties, by arbitration under this law.

11.—For the purposes of this law an accident resulting in the death or serious and permanent disablement of a workman shall be deemed to arise out of and in the course of his employment, notwithstanding that the workman was at the time when the accident occurred acting in contravention of any statutory or other regulation applicable to his employment or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purposes of and in connection with his employer's trade or business.

(1) This Law shall apply notwithstanding any contract to the contrary, whether made before or after the commencement of this Law, except that where under this Law the provisions of a scheme are substituted for the provisions of this Law the em-

ployer shall be liable only in accordance with the scheme. 1929

(2) Where the person against whom a claim for compensation is made under this Law disputes his liability to pay compensation, but makes an agreement (in this Law referred to as a composition agreement) whereby in consideration of the payment of a lump sum the claim for such compensation purports to be precluded, the agreement shall be sent for registration in like manner and subject to the like conditions as in the case of an agreement for the redemption of a weekly payment by a lump sum.

12.—Persons in the Naval or Military Service of the Crown, and such persons employed by or under the Crown who are paid out of monies provided by the Imperial Parliament and are eligible for awards in respect of injury shall not be considered workmen within the meaning of this Law.

13.—The Court may appoint such medical practitioners authorized to practise under any law in force in the Bailiwick to be medical referees for the purposes of this Law as it may determine, and may determine the remuneration of, and other expenses incurred by medical referees under this Law. Such remuneration and expenses may be paid from the general revenue of the Island or otherwise as the Court may direct.

(1) Where in any case a medical practitioner has been employed by or on behalf of an employer or workman or by any insurer interested he shall not act as medical referee in that case.

DEFINITIONS.

" Employer " includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer, and, where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or

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apprenticeship, the latter shall, for the purposes of this Law, be deemed to continue to be the employer of the workman whilst he is working for that person :

" Workman " does not include any person employed otherwise than by way of manual labour whose remuneration exceeds three hundred and fifty pounds a year, or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of his employer's trade or business, or a member of the employer's family dwelling in his house, or to domestic servants, but save as aforesaid, means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise and whether the contract is expressed or implied, is oral or in writing :

Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative, or to his dependants or other person to whom or for whose benefit compensation is payable :

" Dependants " mean such of the workman's family as were wholly or in part dependent upon the earnings of the workman at the time of his death, or would but for the incapacity due to the accident have been so dependent and where the workman, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his earnings, or being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, shall include such an illegitimate child and parent or grandparent respectively.

" Member of a family " means wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, step-daughter, brother, sister, half-brother, half-sister.

A person shall not be deemed to be a partial dependant of another person unless he was dependent

partially on contributions from that other person for the provision of the ordinary necessaries of life suitable for persons in his class and position.

This Law shall come into operation one month after the registration on the records of this Island of His Majesty's Order in Council sanctioning the same.

FIRST SCHEDULE.

Scale and Conditions of Compensation.

1.—The amount of compensation under this Law shall be :—

(*a*) Where death results from the injury :—

(i) If the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of two hundred pounds, whichever of these sums is the larger, but not exceeding in any case three hundred pounds, provided that the amount of any weekly payments made under this Law, and any lump sum paid in redemption thereof, shall be deducted from such sum, and if the period of the workman's employment by the said employer has been less than the said three years then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer.

(ii) Where a workman leaves a widow or other member of his family (not being a child under the age of fifteen) wholly or partially dependent upon his earnings, and, in addition, leaves one or more children under the age of fifteen so dependent, then—

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(*a*) If both the widow or other member of the workman's family and such child or children as aforesaid were all wholly dependent on the workman's earnings, there shall, in respect of each such child, be added to and dealt with as part of the compensation a sum equal to fifteen per cent. of the amount arrived at by multiplying the average weekly earnings of the workman, or where such earnings are less than one pound then by multiplying one pound, or where such earnings exceed two pounds, then by multiplying two pounds by the number of weeks in the period between the death of the workman and the date when the child will attain the age of fifteen, fractions of a week being disregarded ; and

(*b*) If the widow or other member of the workman's family or such child or children as aforesaid, or any of them, were partially dependent on the workman's earnings, there shall be paid as part of the compensation under the foregoing paragraph such proportion of the sum which would have been payable under the foregoing paragraph of this section if all such persons had been wholly dependent as may be agreed upon or in default of agreement as may, taking into consideration the amount payable under this Schedule, be determined by arbitration under this Law to be reasonable. Provided that the total amount of compensation payable to the dependants shall in no case exceed six hundred pounds.

(iii) If the workman does not leave any such dependants, but leaves any dependant in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbi-

tration under this Law, to be reasonable and proportionate to the injury, to the said dependants ; and

(iv) If he leaves no dependants the reasonable expenses of his medical attendance and burial not exceeding twenty pounds.

(i) Where total or partial incapacity for work results from the injury a weekly payment during the incapacity not exceeding fifty per cent. of his average weekly earnings during the twelve months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed thirty shillings.

(ii) Where the maximum payment under this Law to a workman who is totally incapacitated is less than twenty-five shillings, the workman shall be entitled during such incapacity to a weekly addition equal to one-half of the difference between such maximum weekly payment and the sum of twenty-five shillings or his average weekly earnings, whichever is the less, and such addition shall, for all the purposes of this Law, be treated as if it were part of the weekly payment.

(iii) In the case of partial incapacity the weekly payment shall subject to the provisions of paragraph 3 of this Schedule be of the following amount :—

If the maximum weekly payment had the incapacity been total incapacity, would have amounted to twenty-five shillings a week or upwards, the weekly payment in case of partial incapacity shall be one-half the difference between

the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able to earn in some suitable employment or business after the accident.

If the maximum weekly payment would, had the incapacity been total incapacity, have amounted with such addition, if any, as is provided by subsection (ii) of this section, to less than twenty-five shillings, the weekly payment in case of partial incapacity shall be a sum bearing the same proportion to the said difference as the said maximum weekly payment with such addition as aforesaid bears to the amount of the average weekly earnings of the workman before the accident.

2.—For the purposes of the provisions of this Schedule relating to "earnings" and "average weekly earnings" of a workman, the following rules shall be observed :—

(*a*) Average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which the workman was being remunerated. Provided that when by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade em

ployed in the same class of employment in the island. 1929

(*b*) Where the workman has entered into concurrent contracts of service with two or more employers under which he worked at one time for one employer and at another time for another such employer, his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident.

(*c*) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the workman was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause.

(*d*) Where the employer has been accustomed to pay the workman a sum to cover any special expense entailed on him by the nature of his employment the sum so paid shall not be reckoned as part of the earnings.

3.—In fixing the amount of the weekly payments regard shall be had to any payment, allowance, or benefit which the workman may receive from the employer during the period of his incapacity.

The compensation payable in the case of death shall, unless otherwise ordered as hereinafter provided, be paid into Court, and any sum so paid into Court under this Law shall, subject to rules of Court, and the provisions of this Schedule, be invested, applied, or otherwise dealt with by the Court, in such manner as the Court in its discretion thinks fit for the benefit of the persons entitled thereto under this Law, and the receipt of His Majesty's Greffier shall be a sufficient discharge in respect of the amount paid in.

Provided that, if so agreed, the compensation in the case of death shall, if the workman leaves no

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dependants, be paid to his legal personal representative, or if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

4.—Where a workman has given notice of an accidont he shall if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid for by the employer, and, if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and to take and prosecute any proceedings under this Law in relation to compensation shall be suspended until such examination has taken place.

5.—Where a weekly payment is payable under this Law to a person under any legal disability, the Court may, on application being made in accordance with rules of Court, order that the weekly payment be paid during the disability into the Court, and the provisions of this Schedule with respect to sums required by this Schedule to be paid into Court, shall apply to sums paid into Court in pursuance of any such order.

6.—Any question as to who is a dependant shall in default of agreement be settled by arbitration under this Law, or, if not so settled, shall be settled by the Court, and the amount payable to each dependant shall be settled by arbitration under this Law, or, if not so settled before payment into Court under this Schedule, by the Court. Where there are both total and partial dependants, nothing in this Schedule shall be construed as preventing the compensation being allotted partly to the total and partly to the partial dependants.

7.—Where, on application being made it appears to the Court that, on account of neglect of children on the part of a widow, or on account of the variation of the circumstances of the various dependants or for any other sufficient cause, an order of the Court

or an award as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependant is to be invested, applied, or otherwise dealt with, ought to be varied, the Court may make such order for the variation of the former order or the award, as in the circumstances of the case the Court may think just.

8.—Any workman receiving weekly payments under this Law, shall if so required by the employer, from time to time submit himself for examination by a duly qualified medical practitioner provided and paid for by the employer. If the workman refuses to submit himself to such examination, or in any way obstructs the same, his right to such weekly payments shall be suspended until examination has taken place.

9.—A workman shall not be required to submit himself for examination by a medical practitioner under paragraph 4 or paragraph 8 of this Schedule otherwise than in accordance with regulations made by the Court, or at more frequent intervals than may be prescribed by those regulations.

Where a workman has so submitted himself for examination by a medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or the workman, as the case may be, has within six days after such examination furnished the other with a copy of the report of that practitioner as to the workman's condition, then in the event of no agreement being come to between the employer and the workman as to the workman's condition or fitness for employment, the Court on application being made by both parties, may, on payment by the applicants of such fee as may be prescribed by the Court, refer the matter to a medical referee. The medical referee to whom the matter is so referred shall in accordance with regulations made by the Court give a certificate as

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to the condition of the workman and his fitness for employment, specifying where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified. Where no agreement can be come to between the employer and the workman as to whether and to what extent incapacity of the workman is due to the accident, the provisions of this paragraph shall, subject to any regulations made by the Court, apply as if the question were a question as to the condition of the workman.

If a workman, on being required so to do, refuses to submit himself for examination by a medical referee to whom the matter has been so referred as aforesaid, or in any way obstructs the same, his right to compensation and to take or prosecute any proceedings under this Law in relation to compensation, or, in the case of a workman in receipt of a weekly payment, his right to a weekly payment, shall be suspended until such examination has taken place.

10.—(1) Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review may be ended, diminished, or increased, subject to the maximum in Section 1 of this Schedule, provided, and the amount of payment shall, in default of agreement, be settled by arbitration under this Law.

(2) Where the workman was at the time of the accident under twenty-one years of age and the review takes place more than six months after the accident, and the application for the review is made before or within six months after the workman attains the age of twenty-one years the amount of the weekly payment may be increased to such an amount as would have been awarded if the workman had at the time of the accident been earning the weekly sum which he would probably have been earning at the date of the review if he had remained uninjured. Provided always that the amount of

any such increased weekly payment shall not exceed fifty per cent. of such probable weekly earnings, and shall not in any case exceed thirty shillings.

(3) Where the review takes place more than six months after the accident, and it is claimed and proved that, had the workman remained uninjured and continued in the same class of employment as that in which he was employed at the date of the accident, his average weekly earnings during the twelve months immediately preceding the review would, as a result of fluctuations in rates of remuneration, have been greater or less by more than twenty per cent. than his average weekly earnings during the twelve months previous to the accident (or if the weekly payment has been previously varied or a review during the twelve months previous to that review or the last of such reviews) the weekly payment shall be varied so as to make it such as it would have been if the rates of remuneration obtaining during the twelve months previous to the review had obtained during the twelve months previous to the accident. Provided always that where a weekly payment is increased by such variation the amount of such increased weekly payment shall not exceed fifty per cent. of the weekly amount of remuneration according to the rates of remuneration obtaining during the twelve months previous to the review and shall not in any case exceed thirty shillings.

(4) If a workman receiving a weekly payment ceases to reside in the Island of Alderney, or in any other of the Channel Islands or in the United Kingdom or the Isle of Man he shall thereupon cease to be entitled to receive any weekly payment, unless the medical referee certifies that the incapacity resulting from the injury in respect of which the payment is made is likely to be of a permanent nature. If the medical referee so certifies the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding

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quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of Court, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.

11.—A weekly payment or sum in redemption shall not be capable of being assigned, charged or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

12.—Where under this Schedule a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension.

SECOND SCHEDULE.

ARBITRATION.

1.—For the purpose of settling any matter which under this Law is to be settled by arbitration, the matter shall be settled by a single arbitrator agreed on by the parties, or in absence of agreement, by the Judge of the Island of Alderney, according to the procedure prescribed by Act of Court. An arbitrator may, if he thinks fit, submit any question of law for the decision of the Court of Alderney, and the decision of the Court on any question of law, either on such submission, or in any case where the Court settles the matter under this Law, or where the Court gives any decision or order under this Law, shall be final, unless within the time and in accordance with the conditions prescribed by Ordinance of the Royal Court either party appeals to the Royal Court of the Island of Guernsey ; and the Judge of Alderney and the arbitrator appointed by him shall, for the purpose of proceedings under this Law have the same powers of procuring the attendance of witnesses and the production of documents as if the proceeding were an action before the Court.

2.—The costs of and incidental to the arbitration

and proceedings connected therewith shall be in the discretion of the arbitrator, and in accordance with the scale prescribed by Ordinance.

3.—In the case of the death, or refusal or inability to act, of an arbitrator, the Judge may on the application of any party, appoint a new arbitrator.

4.—Where the amount of compensation under this Law has been ascertained, or any weekly payment varied, or any other matter decided under this Law, by an arbitrator or by agreement, a memorandum thereof shall be submitted to the Court, which shall on being satisfied as to its genuineness order such memorandum to be recorded in a special register without fee, and thereupon the memorandum shall be enforceable as a judgment of the Court. Provided that—

(*a*) No such memorandum shall be recorded before seven days' notice has been given to the parties interested, and

(*b*) Where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under this Law, and the employer proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum, the memorandum shall only be recorded if at all, on such terms as the Court under the circumstances may think just; and

(*c*) The Court may at any time rectify the register and, where it appears to the Court on any sufficient information, that an agreement as to the redemption payment by a lump sum, or an agreement as to the amount of compensation payable to a person under legal disability, or to dependants ought not to be registered by reason of the inadequacy of the sum or amount, or by reason of the agreement being

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obtained by fraud or undue influence, or other improper means, the Court may refuse to record such memorandum, or the Court may make such order as under the circumstances it may think just ; and

(*d*) The Court may, within six months after the memorandum of an agreement as to the redemption of a weekly payment by a lump sum, or of an agreement as to the amount of compensation payable to a person under legal disability, or to dependants, has been recorded in the register, order that the record be removed from the register on proof that the agreement was obtained by fraud or undue influence or other improper means, and may make such order as under the circumstances it may think just.

5.—An agreement as to the redemption of a weekly payment by a lump sum if not registered in accordance with this Law shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the weekly payment is payable from liability to continue to make that weekly payment, and an agreement as to the amount of compensation to be paid to a person under a legal disability or to dependants, if not so registered, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the compensation is payable from liability to pay compensation, unless, in either case, he proves that the failure to register was not due to any neglect or default on his part.

6.—Any sum awarded as compensation shall, unless paid into Court under this Law, be paid on the receipt of the person to whom it is payable under any agreement or award, and the advocate or agent of a person claiming payment of compensation under this Law shall not be entitled to recover from him any costs in respect of any proceedings in an arbitration under this Law, or to claim a lien in respect of such

costs on, or deduct such costs from, the sum awarded or agreed as compensation, except such sum as may be awarded by the arbitrator, or the Court, on an application made either by the person claiming compensation, or by his advocate or agent, to determine the amount of costs to be paid to the advocate or agent.

(*Enregistré sur les Records le 22 juin* 1929.)

Commission pour la nomination de Conseillers d'Etat.

Monsieur le Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant Gouverneur en date du 17 juin 1929, transmettant des exemplaires d'un Ordre de Sa Majesté en Conseil en date du 8 juin 1929, ayant référence à l'exécution d'une commission pour la nomination de Conseillers d'Etat—La Cour, ouïes les conclusions des Officiers du Roi a ordonné qu'un des dits exemplaires sera enregistré par être logé au Greffe, et qu'un des dits exemplaires sera expédié à Monsieur le Juge d'Auregny.

(*Enregistré sur les Records le 2 août* 1929.)

Enregistrement du "Friendly Societies Act, 1924" "The Industrial Assurance (Juvenile Societies) Act, 1926," "The Industrial and Provident Societies (Amendment) Act, 1928." and "The Industrial Assurance & Friendly Societies Act 1929".

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 5 juillet 1929 transmettant des exemplaires imprimés des Actes de Parlement suivants :—

14 and 15 George V. Chapter 11 "The Friendly Societies Act, 1924."

16 and 17 George V., Chapter 35 "The Industrial Assurance (Juvenile Societies) Act, 1926.'

18 George V., Chapter 4 "The Industrial and Provident Societies (Amendment) Act, 1928."

19 and 20 George V., Chapter 28 "The Industrial Assurance and Friendly Societies Act, 1929."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné

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1.—Que le dit Ordre sera enregistré sur les records de cette Ile.

2.—Qu'un exemplaire de chacun des dits Actes de Parlement sera enregistré sur les Records de cette Ile par être logé au Greffe.

3.—Qu'un extrait des Registres de ce présent Acte avec un exemplaire de chacun des dits Actes de Parlement sera transmis par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

ORDRES EN CONSEIL.

(*Enregistré sur les Records le 2 août* 1929.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of July, 1929.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT
EARL HOWE
EARL OF PLYMOUTH
VISCOUNT WOLMER
MR. SECRETARY HENDERSON
MR. SECRETARY WEDGWOOD BENN
SIR FREDERICK PONSONBY
MAJOR J. W. HILLS
SIR ELLIS HUME-WILLIAMS
LIEUTENANT-COLONEL H. SPENDER-CLAY
LORD JUSTICE SLESSER
MR. CRAIGIE MASON AITCHISON
SIR PHILIP SASSOON
SIR FRANCIS LOWE
MR. D. H. HACKING
MR. H. D. KING.

Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile, et à l'Etablissement d'un Contrôle Administratif sur l'Erection de Bâtiments autrement citée "Loi au sujet des Beautés Naturelles et Bâtiments Malséants, 1929."

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 1st day of July, 1929, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—(1) That by an Order of Your Majesty in Council of the 10th day of August, 1927, the 'Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile' was registered on the Records of this Island on the 3rd day of September, 1927 : (2) That on the 19th day of May, 1928, the Royal Court, acting upon a resolution of the

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States of the 24th February, 1928, adopted a ' Projet de Loi ' intituled ' Loi relative aux Beautés Naturelles (1928) ' applying the provisions of the aforesaid Law to the whole Island, and requested the Bailiff to submit the same to the States for their approval : (3) That on the 6th day of July, 1928, the aforesaid ' Projet de Loi ' was submitted to the States, when a resolution was adopted approving the same and requesting the Royal Court to consolidate the said ' Projet de Loi ' with the aforesaid ' Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile ' : (4) That accordingly, on the 27th day of April, 1929, the Royal Court adopted a ' Projet de Loi ' intituled ' Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile, et à l'Etablisement d'un Contrôle Administratif sur l'Erection de Bâtiments,' and requested the Bailiff to submit the same to the States for approval : (5) That on the 31st day of May, 1929, the said ' Projet de Loi ' was with certain amendments finally approved by the States, and the President was authorized to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (6) That the said ' Projet de Loi ' as finally approved, is in the words and figures set forth in the Schedule to the said Petition : And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the ' Projet de Loi ' of the States of Guernsey intituled 'Loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile, et à l'Établissement d'un Contrôle Administratif sur l'Erection de Bâtiments,' and to order and direct that the same shall have the force of Law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your

Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

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HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À LA CONSERVATION DES FALAISES ET DES BEAUTÉS NATURELLES DE L'ILE, ET À L'ÉTABLISSEMENT D'UN CONTRÔLE ADMINISTRATIF SUR L'ÉRECTION DE BÂTIMENTS.

Préambule.

Attendu que de temps immémorial les habitants de cette Ile ont joui des beautés naturelles qui se répandent par les côtes et falaises et dans le paysage de cette Ile et qui font un puissant attrait pour les gens qui viennent y séjourner.

Attendu que dans les années récentes il y a eu une tendance qui s'accroît de plus en plus à ériger des

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bâtiments lesquels à cause de leur position, la façon de leur construction, le matériel y employé, ou l'apparence de leur extérieur, ont l'effet soit de gâter et détruire les dites beautés naturelles, soit de constituer en eux-mêmes une offense à l'œil n'importe où ils se trouvent.

Attendu que l'intérêt public exige que l'érection de bâtiments dans cette Ile soit soumise à un contrôle administratif afin d'empêcher ou minimer autant que possible les abus ci-dessus signalés.

Attendu que les Etats par leurs délibérations du 24 février 1928 et du 6 juillet 1928 ont adopté le principe de la présente loi.

ARTICLE I.

Titre abrégé.

Cette Loi pourra être citée par l'intitulé " Loi au sujet des Beautés Naturelles et Bâtiments Malséants, 1929."

ARTICLE II.

DEFINITIONS.

Définitions— "Comité" "Conseil" "Bâtiment" "Mois."

Dans cette Loi " le Comité " signifie le Comité qui sera nommé par les Etats aux fins de cette Loi.

" Le Conseil " signifie le Conseil Administratif des Etats.

" Bâtiment " signifie maison, tout édifice, muraille, barrière, défense, érection ou attachement extérieur pour l'affichement d'annonces, et toute autre structure extérieure permanente ou temporaire à l'exception des échaffaudages, estrades et défenses érigés temporairement pour la bâtisse, réparation, changement ou démolition d'un bâtiment.

" Mois " signifie mois calendrier.

ARTICLE III.

Constitution du Comité.

Un Comité sera nommé par les Etats pour porter à exécution les devoirs imposés par cette Loi qui sont ci-après prescrits.

Le Comité sera composé de sept membres. Deux membres sortiront de charge à la fin de chaque année et seront ré-éligibles. Les membres sortant seront déterminés par leur séniorité d'office, et s'il y en a plus de deux de séniorité égale, par le sort entre ceux-ci. La séniorité d'un membre ré-élu comptera de sa ré-élection seulement. 1929

ARTICLE IV.

Il est défendu sans avoir préalablement obtenu la permission par écrit du Comité :— Défense d'ériger aucun bâtiment visible sans permission du Comité.

(*a*) d'ériger ou ré-ériger aucun bâtiment visible, ou qui serait lors érigé, visible d'un chemin ou autre lieu public dans cette île, ou de faire aucun changement ou addition important à l'extérieur de tel bâtiment.

(*b*) d'ériger ou ré-ériger aucun bâtiment sur les pentes et falaises de cette île ou de faire aucun changement ou addition important à l'extérieur de tel bâtiment.

(*c*) de mettre ou planter aucune obstruction sur les pentes et falaises de cette île de manière à empêcher accès raisonnable aux piétons. Défense de mettre ou planter obstruction sur les pentes et falaises.

ARTICLE V.

Le Comité aura droit de visiter le site de tout bâtiment proposé, et ne refusera pas l'octroi de sa permission sans avoir fait telle visite. Comité visitera le site avant de refuser permission.

ARTICLE VI.

(1) La notification du refus d'octroyer permission de bâtir sera envoyée par le Comité au postulant et au Conseil dans les huit jours qui suivront la date de l'assemblée du Comité à laquelle la décision par rapport à tel refus aura été prise. Le moyen de la poste sera valable pour l'envoi de telle notification. Notification de refus d'octroyer permission.

(2) Dans le cas où le Comité aura refusé d'octroyer Procédure en appel à la Cour Royale.

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permission d'ériger aucun bâtiment, le propriétaire ou le Conseil pourra en appeler à la Cour Royale pourvu que les procédures en appel soient intentées dans les six mois qui suivront le reçu de la notification contenant tel refus.

Procédure si nul appel n'est interjeté.

(3) Si nul appel n'est interjeté contre la décision du Comité ou si la décision du Comité est confirmée par la Cour Royale, le propriétaire pourra dans les six mois qui suivront le reçu de la dite notification ou la date de l'acte de la Cour Royale confirmant la décision du Comité, selon le cas, faire une demande aux Etats, par l'intermédiaire du Conseil, que les Etats achètent la terre où se trouve le site en question.

La dite demande sera accompagnée d'une déclaration signée du propriétaire constatant qu'il possède la terre à juste titre et que les travaux de construction auraient été commencés dans les trois mois du reçu de la dite notification si le Comité ne lui avait pas refusé permission de bâtir.

A défaut d'accord, l'étendue de la terre à acheter et le prix de l'achat seront alors déterminés, eu égard à toutes les circonstances qui pourront affecter sa valeur, par deux arbitres dont l'un sera nommé par le propriétaire et l'autre par le Conseil.

Les arbitres, avant de procéder aux dites déterminations, nommeront un sur-arbitre et la décision des arbitres s'ils sont d'accord, ou du sur-arbitre en cas de désaccord, sera finale entre les parties.

Les frais de l'évaluation seront à la discrétion des arbitres.

ARTICLE VII.

Procédure dans le cas où le postulant n'accepte pas les conditions imposées par le Comité.

Dans le cas où le Comité ait octroyé permission de bâtir en y imposant des conditions que le postulant n'accepte pas, il sera de la compétence de la Cour Royale sur la plainte du postulant, à décider que les conditions imposées valent un refus de per-

mission. Le postulant portera sa plainte devant la Cour Royale dans les deux mois suivant le reçu de la notification du Comité. Si la Cour décide que les dites conditions valent refus de permission, le postulant s'il est en même temps propriétaire pourra demander dans les six mois suivant telle décision que les Etats achètent la terre où se trouve le site en question, et la procédure prescrite dans la section (3) de l'article précédent sera suivie.

ARTICLE VIII.

Effet rétroactif de cette Loi.

Cette Loi aura effet rétroactif jusqu'au 4 avril 1927, pourvu toutefois que les permissions accordées et les conditions imposées soit par le Comité nommé aux fins de la loi ayant rapport à la Conservation des Falaises et Beautés Naturelles de l'Ile sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 3 septembre 1927, par le Comité nommé par les Etats suivant à leur délibération en date du 23 septembre 1925, ou par le Comité pour la Construction de Maisons et Bâtiments, et au tracement des Routes, Rues et Chemins, aux fins de la délibération des Etats du 15 juin 1927 auront la même force et valeur que si elles avaient été accordées et imposées par le Comité nommé aux fins de cette Loi.

ARTICLE IX.

Pénalités pour infraction.

Tout contrevenant aux dispositions de l'article 4 de cette loi sera passible d'une amende qui n'excédera pas £50 stg., et en outre la Cour pourra ordonner soit la modification à la satisfaction du Comité, soit la démolition et l'enlèvement de tout bâtiment ou obstruction érigé en contravention aux dites dispositions, le tout à dicrétion de Justice.

ARTICLE X.

Exemptions des dispositions de cette Loi.

Le Gouvernement de Sa Majesté et les Etats de cette Ile sont exempts des dispositions de cette loi.

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ARTICLE XI.

Cour Royale autorisée à passer Ordonnances.

La Cour Royale est autorisée à passer toutes Ordonnances nécessaires pour régler la procédure à suivre lorsque demande sera faite au Comité pour permission de bâtir sous les dispositions de cette loi et généralement pour la mise à exécution des dispositions de cette loi.

ARTICLE XII.

Rappel de la Loi de 1927.

Est et demeurera rappelée la loi ayant rapport à la Conservation des Falaises et des Beautés Naturelles de l'Ile sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 3 septembre 1927.

ARTICLE XIII.

Date de mise en force.

Cette Loi viendra en force à partir le l'enregistrement de l'Ordre de Sa Majesté en Conseil y accordant Sa Sanction Royale.

(Enregistré sur les Records le 2 août 1929.)

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of July, 1929.

PRESENT

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT
EARL HOWE
EARL OF PLYMOUTH
VISCOUNT WOLMER
MR. SECRETARY HENDERSON
MR. SECRETARY WEDGWOOD BENN
SIR FREDERICK PONSONBY
MAJOR J. W. HILLS
SIR ELLIS HUME-WILLIAMS
LIEUTENANT-COLONEL H. SPENDER-CLAY
LORD JUSTICE SLESSER
MR. CRAIGIE MASON AITCHISON
SIR PHILIP SASSOON
SIR FRANCIS LOWE
MR. D. H. HACKING
MR. H. D. KING.

Loi ayant rapport aux Débiteurs et à la Renonciation.

WHEREAS there was this day read at the Board

a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 27th day of June, 1929, in the words following, viz. :— 1929

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—' (1) That by a resolution of the States of Deliberation of the 20th day of July, 1927, the Royal Court was requested to consider what alterations it was necessary to effect in the Law relating to Renunciation and Cession, and to report thereon to the States. (2) That on the 31st day of October, 1928, the report of the Royal Court, together with a draft Bill or Projet de Loi, was duly considered by the States, when a resolution was passed approving the principles upon which the said Bill was based, and also requesting the Royal Court to consider the advisability of having an Englsh translation of the said Bill. (3) That accordingly on the 27th day of March, 1929, the Projet with English translation was considered by the Royal Court, when the following Act was passed : " The Court, having heard the conclusions of the Law Officers of the Crown adopted a Bill or Projet de Loi intituled ' Law relating to Debtors and Renunciation,' and ordered that the English translation of the said Bill adopted this day may be cited and used and shall have the same force and effect as the French version of the Law, and in case of ambiguity or conflict, the French text shall prevail : and the Bailiff was requested to submit the said Bill to the States for their approval." (4) That the said Bill or Projet de Loi, submitted in accordance with the said Act of Court, was considered by the States on the 17th day of April, 1929, and approved finally on the 10th day of May, 1929, when the President was authorized to present a most humble Petition to Your

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Majesty in Council praying for Your Royal Sanction thereto. (5) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed, together with the official translation. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled "Loi ayant rapport aux Débiteurs et à la Renonciation," and to order and direct that the same shall come into force within two months from the date of the registration of Your Majesty's Order in Council approving thereof.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey within two months from the date of the registration of this Order in the said Island.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly. M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1929

LOI AYANT RAPPORT AUX DÉBITEURS ET À LA RENONCIATION.

TITRE I.

EMPRISONNEMENT POUR DETTE.

ARTICLE I.

Sauf les exceptions spécifiées dans cet Article et dans l'Article 3 de cette loi personne ne sera à l'avenir arrêté au corps ou emprisonné pour le défaut de paiement d'une somme d'argent.

Sont exceptés de l'opération des dispositions ci-dessus :—

(1) Défaut de paiement d'une pénalité ou d'une somme d'argent de la nature d'une pénalité, autre qu'une pénalité en rapport avec un contrat ou accord.

(2) Défaut de paiement par un fidéi-commissaire ou par une personne agissant dans une capacité fiduciaire, d'une somme d'argent dans sa possession ou sous son contrôle que la Cour lui aura ordonné de payer.

(3) Défaut de paiement pour le bénéfice des créanciers d'aucune partie d'un salaire ou d'autre revenu dont la Cour Royale aura ordonné le paiement.

(4) Défaut de paiement de sommes d'argent en rapport avec le paiement desquelles la Cour est autorisée à ordonner emprisonnement.

Pourvu toutefois que dans les cas ci-dessus mentionnés personne ne sera emprisonné pendant une période excédant un an.

ARTICLE II.

La Cour pourra ordonner le paiement entier d'une dette à un jour fixe, ou elle pourra ordonner

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que paiement sera fait par acomptes de tels montants et à telles périodes qu'elle jugera convenables. Tout Acte de la Cour ordonnant paiement des dettes soit en un seul paiement soit par acomptes pourra être par elle révoqué ou varié toutefois et quantes.

ARTICLE III.

La Cour pourra envoyer en prison pour un terme n'excédant pas six semaines ou jusqu'au paiement de la somme due toute personne qui fera défaut dans le paiement de toute dette ou acompte qu'elle aura été adjugée par la Cour à payer.

Tel pouvoir d'emprisonnement ne sera exercé que sur preuve faite à la satisfaction de la Cour que la personne faisant défaut a les moyens ou a eu depuis la date du jugement les moyens de faire le paiement adjugé et dont elle est en défaut et qu'elle a refusé ou négligé ou refuse ou néglige de faire le dit paiement.

La preuve des moyens de la personne en défaut se fera de toute manière qui sera estimée recevable par la Cour qui, pour les besoins de telle preuve, pourra interroger sous serment le débiteur et autres témoins.

Une personne emprisonnée en vertu de cet article restera redevable, nonobstant l'emprisonnement, de tout ce qu'elle a été adjugée payer et qu'elle n'a pas payé et le créancier restera entier dans ses droits, actions et recours sur les biens tant meubles qu'immeubles de la personne comme si l'emprisonnement n'avait pas eu lieu.

Une personne emprisonnée en vertu de cet article qui fera paiement de la dette ou acompte à l'égard duquel elle était emprisonnée sera libérée par le Prévôt qui en fera rapport à la Cour.

ARTICLE IV.

(1) Lorsqu'un créancier prouve à la satisfaction

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du Baillif ou d'un des Jurés-Justiciers de la Cour Royale qu'il y a raison de craindre que son débiteur est sur le point de quitter l'Ile, le Baillif ou tel Juré-Justicier, selon le cas, pourra ordonner l'arrêt de la personne du débiteur, lequel ordre ne sera accordé que pour une somme de dix livres et au-delà et sur un affidavit sermenté devant le Baillif, ou tel Juré-Justicier, selon le cas, lequel affidavit constatera

(*a*) le nom et l'adresse du débiteur ;

(*b*) le montant et la nature de la dette ;

(*c*) la déclaration constatant les faits donnant raison au déclarant de craindre que le débiteur est sur son départ de l'Ile ;

(*d*) qu'il s'est adressé sans succès au débiteur pour le paiement du montant dû ;

(*e*) que l'absence de l'Ile du débiteur préjudiciera considérablement à l'action qu'il désire intenter.

(2) Dans cet article le créancier inclura le procureur, le gérant ou celui qui a la charge du commerce du créancier.

(3) Dans le cas où un ordre de faire arrêt de la personne aux fins de la section précédente est accordé, le dit ordre sera censé être le commencement de l'action et le créancier arrêtant sera censé dorénavant être l'acteur en cause et sera obligé, dans les huit jours qui suivront la date du dit ordre, de poursuivre la dite action contre le débiteur à voir la Cour confirmer l'arrêt, faute de quoi le dit ordre cessera d'avoir son effet, et le débiteur, s'il est arrêté, sera libéré.

(4) Le débiteur ne sera pas incarcéré s'il fournit à la satisfaction du Prévôt caution pour le montant réclamé, et dans tous cas pourra le Baillif ordonner que le débiteur ne sera pas incarcéré à condition qu'il prête serment devant le Baillif de ne pas quitter l'Ile sans la permission par écrit du Baillif. Celui qui, ayant prêté serment comme dessus, quittera ou essayera de quitter l'île sans la dite permission, sera

1929 censé coupable du crime de parjure et pourra être arrêté soit par le Prévot, soit par la Police Salariée de l'Ile.

(5) Et ne déroge cet article au droit du débiteur de s'adresser à la Cour pour une déclaration qu'il est en état de faillite et dans le cas où il fait cette demande, il ne sera pas emprisonné, et s'il est emprisonné aux fins de cette loi, il sera libéré de suite.

(6) Lors de l'exécution de l'ordre d'arrêt, le Prévot sera tenu de livrer au débiteur une copie du dit ordre et de l'affidavit qui lui aura été fourni par le créancier.

TITRE II.

PROCÉDURES EN CAS DE RENONCIATION.

ARTICLE V.

La Cession est abolie.

ARTICLE VI.

Toute personne qui ne peut pas payer ses dettes pourra s'adresser à la Cour pour une déclaration qu'elle est en état de faillite (ci-après désignée " déclaration de faillite ").

ARTICLE VII.

(1) Lorsqu'un débiteur s'adresse à la Cour pour une déclaration de faillite sa demande sera remise pour un mois pour entendre ses créanciers et la Cour nommera un Juré-Justicier pour Commis ainsi qu'un Comité des créanciers (ci-après désigné " Le Comité ") pour surveiller et s'assurer des biens du débiteur. Dans quatre jours le débiteur dressera un inventaire de ses biens meubles et immeubles et une liste de ses dettes actives et passives sur la vérité desquels inventaire et liste le débiteur prêtera serment devant la Cour et le débiteur livrera les

dits inventaire et liste au Comité avec sa déclaration. 1929

Pendant le mois une assemblée des créanciers sera tenue et présidée par le Commis, à laquelle le débiteur sera présent afin de répondre aux questions qui pourront lui être posées par ses créanciers. Connaissance du lieu et de l'heure de la dite assemblée sera donnée par le Comité par une annonce dans la partie officielle de la *Gazette* de cette Ile et dans au moins un journal quotidien publié en cette ile en anglais au moins dix jours avant le jour de la dite assemblée et par une affiche au vestibule de la Cour et au porche de l'Eglise de la paroisse où le débiteur réside. Le débiteur en outre avertira par écrit tous les créanciers quatre jours pour le moins avant l'assemblée du lieu et de l'heure de la dite assemblée.

(2) Le débiteur, le jour où il s'adresse à la Cour pour une déclaration de faillite ou immédiatement après, livrera au Prévôt tous les livres, titres, papiers et autres documents ayant rapport à ses affaires, ainsi que tous ses effets mobiliers qui sont divisibles entre ses créanciers.

(3) Dans le cas où le débiteur néglige de remplir les devoirs imposés sur lui par cet article ou de livrer au Prévôt aucune partie de ses effets mobiliers qui est divisible entre ses créanciers et qui est dans sa possession ou sous son contrôle, il sera coupable d'un mépris de Cour et sera punissable par amende ou emprisonnement.

Article VIII.

Lorsque le débiteur s'adresse à la Cour pour une déclaration de faillite, il prêtera serment de ne pas quitter l'Ile sans la permission de la Cour jusqu'à ce que la Cour ait statué sur sa dite demande. Toute personne qui ayant pris tel serment, quitte ou essaye de quitter l'Ile sans telle permission, sera censée coupable de parjure et pourra être arrêtée par le Prévôt ou par la Police Salariée de l'Ile.

ARTICLE IX.

(1) Tout transfert de propriété, soit mobilière ou immobilière ou charge dessus fait, tout paiement fait, tout engagement contracté, et toute poursuite judiciaire prise ou subie, par un débiteur incapable de payer ses dettes à fur et mesure qu'elles deviennent dues des argents à lui appartenant, en faveur d'un créancier ou d'une personne en fidéicommis pour un créancier quelconque, dans le but de donner à tel créancier une préférence sur les autres créanciers seront censés frauduleux et nuls vers le Comité si tels transfert, charge, paiement, engagement, ou poursuite judiciaire ont été faits, pris, subis, ou obtenus dans les trois mois qui auront précédé la demande du débiteur pour une déclaration de faillite.

(2) Ne seront nullement affectés par cet article les droits de celui qui aura acquis tels droits de bonne foi et pour valeur d'un créancier de débiteur ou ses ayants cause.

(3) Sujet aux dispositions précitées de cet article ayant rapport à l'effet de faillite sur l'annulation de certaines préférences, rien dans cette loi n'annulera en cas de faillite

(*a*) un paiement par le débiteur à un de ses créanciers ;

(*b*) un paiement ou livraison au débiteur ;

(*c*) une cession ou transfert par un débiteur pour valeur ;

(*d*) un contrat, affaire ou transaction par ou avec le débiteur pour valeur ; pourvu que les deux conditions qui ensuivent sont remplies, savoir ;

(i) que le paiement, livraison, cession, transfert, contrat, affaire ou transaction, selon le cas, a eu lieu avant la date de la déclaration de faillite ; et

(ii) que la personne (autre que le débiteur) à, par ou avec qui le paiement, livraison, cession, transfert, contrat, affaire ou

transaction a été fait ou exécuté, n'a pas connaissance au moment du paiement, livraison, cession, transfert, contrat, affaire ou transaction, d'une demande à la Cour pour une déclaration que le débiteur est en état de faillite.

ARTICLE X.

Dans les assemblées générales des créanciers toute question qui leur sera soumise ayant rapport à l'administration ou à la réalisation des biens du débiteur ou à une offre d'arrangement de la part du débiteur sera décidée par la majorité des créanciers ordinaires présents, pourvu que les créanciers ordinaires présents représentent deux tiers de la totalité des créanciers ordinaires déclarés par le débiteur, sans préjudice toutefois aux droits de préférence.

ARTICLE XI.

A la fin du mois prescrit dans l'Article VII la Cour statuera sur la demande du débiteur pour une déclaration de faillite, après avoir entendu les créanciers ainsi que le rapport du Commis quant aux affaires du débiteur.

ARTICLE XII.

Tout débiteur qui a été déclaré par la Cour en état de faillite pourra s'adresser à la Cour en tout temps pour le bénéfice de la Renonciation.

ARTICLE XIII.

Lors de la demande d'un débiteur pour le bénéfice de la Renonciation, la Cour entendra les créanciers ainsi que le rapport du Commis quant à la conduite et aux affaires du débiteur, et pourra accorder ou refuser le bénéfice de la Renonciation ou suspendre tel bénéfice pendant un délai spécifié ou lui accorder

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la renonciation sujet à telles conditions quant aux gains ou revenus qui pourraient être par après gagnés ou reçus par le débiteur ou quant à la propriété par après acquise par le débiteur et à toutes autres conditions que la Cour ordonnera.

(1) Pourvu toutefois que la Cour refusera le bénéfice de la Renonciation dans des cas où le débiteur a été trouvé coupable de fraude aux fins de cette loi ou d'un autre délit ou d'une félonie en rapport avec sa faillite à moins que pour des raisons spéciales la Cour décide autrement, et la Cour, sur preuve faite d'aucun des faits mentionnés à la section (2) de cet article ; ou

(*a*) refusera le bénéfice de la renonciation ; ou

(*b*) suspendra le bénéfice de la renonciation pendant une période qui ne sera pas moindre de deux ans, pourvu que cette période pourra être réduite à moins de deux ans si le seul fait prouvé de ceux mentionnés à la section (2) de cet article est que l'actif du débiteur n'est pas d'une valeur suffisante à payer dix chelins à la livre sur le montant de ses dettes ordinaires ; ou

(*c*) suspendra le bénéfice de la renonciation jusqu'à ce qu'un dividende d'au moins dix chelins à la livre aura été payé aux créanciers ; ou

(*d*) accordera le bénéfice de la renonciation à condition que le débiteur consente à un jugement en faveur du Comité pour aucune balance ou partie d'aucune balance de ses dettes non payées à la date de sa demande pour le bénéfice de la renonciation, laquelle balance sera payée des gains futurs du débiteur ou de sa propriété par après acquise de telle manière et sujet à telles conditions qui seront prescrites par la Cour. Tel jugement ne sera pourtant exécuté sans la permission de la Cour, et telle permission pourra

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être donnée sur preuve faite que le débiteur, depuis sa demande pour le bénéfice de la renonciation a acquis de la propriété mobilière ou immobilière ou du revenu disponible, envers le paiement de ses dettes.

Pourvu toutefois que si, après les deux ans expirés depuis l'Acte de la Cour fait en vertu de cet article, le débiteur démontre à la Cour que selon toute probabilité raisonnable il ne sera jamais dans un état de pouvoir exécuter les conditions portées au dit acte, la Cour pourra modifier les conditions du dit acte ou d'aucun acte qui pourra y être substitué, de telle manière et sous telles conditions qu'il plaira à la Cour prescrire.

(2) Les faits auxquels référence est faite dans la section précédente sont les suivants :—

(*a*) que l'actif du débiteur ne vaut pas dix chelins à la livre sur le montant de ses dettes ordinaires à moins qu'il ne démontre à la Cour que ce fait provient des circonstances pour lesquelles il ne peut pas être rendu responsable,

(*b*) que le débiteur a omis de garder des livres de comptes d'usage dans son commerce qui révèlent suffisamment la conduite de ses affaires et sa position financière dans les trois ans qui auront précédé sa demande pour une déclaration de faillite,

(*c*) que le débiteur a continué son commerce sachant qu'il était insolvable,

(*d*) que le débiteur a contracté une dette sans avoir aucun espoir raisonnablement fondé de pouvoir la payer,

(*e*) que le débiteur a négligé de rendre compte d'une manière satisfaisante d'aucune perte de son actif ou d'aucun manque de son actif,

(*f*) que le débiteur a produit ou a contribué à sa faillite par des spéculations imprudentes et hasardeuses ou par un excès injustifiable dans sa manière de vivre, ou par le jeu ou par

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une négligence coupable dans la conduite de ses affaires,

(*g*) que le débiteur a mis aucun de ses créanciers à des frais inutiles par suite d'une défense frivole ou vexatoire à une action légalement intentée contre lui,

(*h*) que le débiteur a, dans les trois mois qui auront précédé sa demande pour une déclaration de faillite, encouru des frais injustifiables en intentant une action frivole ou vexatoire,

(*i*) que le débiteur, dans les trois mois qui auront précédé sa demande pour une déclaration de faillite, étant incapable de payer ses dettes lors dues a donné une préférence injuste à aucun de ses créanciers,

(*j*) que le débiteur, dans les trois mois qui auront précédé sa demande pour une déclaration de faillite, a contracté des engagements dans le but de rendre son actif égal à dix chelins à la livre sur le montant de ses dettes ordinaires,

(*k*) que le débiteur a été antérieurement déclaré en état de faillite ou a fait un arrangement avec ses créanciers,

(*l*) que le débiteur a été coupable de fraude ou d'un abus de confiance frauduleux.

ARTICLE XIV.

Sujet aux conditions imposées par la Cour, un débiteur admis au bénéfice de la renonciation sera déchargé du paiement de ses dettes contractées avant sa demande pour une déclaration de faillite, à l'exception

(*a*) d'une dette due à Sa Majesté ou à une personne pour une offense contre une loi ayant rapport au revenu public ou pour caution donnée pour la comparution d'une personne accusée de crime ;

(*b*) d'une dette ou engagement encouru par le moyen de fraude ou d'un abus frauduleux de

confiance auquel il fut partie, ou d'une dette ou engagement duquel il a obtenu acquit par fraude à laquelle il fut partie ; 1929

(*c*) d'aucun engagement en vertu d'un jugement de la Cour contre lui dans une action pour le maintien d'un enfant illégitime.

Un débiteur ne sera déchargé de ces dettes qu'avec l'autorisation de la Cour et sous telles conditions qui seront prescrites par la Cour.

Article XV.

Sera coupable d'un délit et passible d'un emprisonnement qui n'excédera pas deux ans avec ou sans travail forcé tout débiteur qui a été déclaré par la Cour en état de faillite et n'a pas été admis sans condition au bénéfice de la renonciation qui

(*a*) entreprend ou s'engage dans aucun commerce ou métier pour son propre compte ;

(*b*) n'obtempère pas aux conditions imposées par la Cour ;

(*c*) aura obtenu soit seul ou conjointement avec autrui, crédit d'une personne quelconque à un montant de dix livres et au-delà sans informer telle personne qu'il est ou qu'il a été en état de faillite ;

(*d*) aura obtenu crédit sous de faux prétextes ou par le moyen de fraude ;

(*e*) avec l'intention de frauder ses créanciers ou aucun d'eux aura fait une donation ou transfert de sa propriété soit mobilière ou immobilière ou aura consenti à une obligation ou enregistrement contre telle propriété ;

(*f*) avec l'intention de frauder ses créanciers aura caché ou enlevé aucune partie de sa propriété depuis ou dans les deux mois qui auront précédé un jugement pour le paiement d'une dette par lui due.

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TITRE III.

DES DÉBITEURS DONT LES AFFAIRES ONT ÉTÉ DÉCLARÉES EN ÉTAT DE DÉSASTRE PAR LES CRÉANCIERS.

ARTICLE XVI.

Tout débiteur dont les affaires ont été déclarées en état de désastre par ses créanciers arrêtants à une assemblée tenue devant un Juré-Justicier, Commis de la Cour, pourra être actionné devant la Cour par les dits créanciers arrêtants ou par un d'eux à voir la Cour déclarer que le débiteur est en état de faillite. Si la Cour le déclare la procédure dans ce cas sera la même que celle prescrite au Titre II de cette loi, et telle déclaration sera censée une demande par le débiteur pour une déclaration de faillite.

TITRE IV.

PROCÉDURE EN CAS DE FRAUDE.

ARTICLE XVII.

Dans le cas où les faits de fraude sont allégués de la part des créanciers contre un débiteur, la Cour pourra faire tel acte qu'elle croira raisonnable pour mettre les Officiers du Roi à même d'instituer des poursuites contre lui s'il y a lieu.

ARTICLE XVIII.

1. Tout débiteur qui aura obtenu une déclaration de faillite sera censé dans chacun des cas qui ensuivent avoir commis un acte de fraude et sera coupable d'un délit et passible d'un emprisonnement qui n'excédera pas deux ans avec ou sans travail forcé

(1) Si, du meilleur de sa connaissance, il ne révèle pas au Comité toute sa propriété soit mobilière ou immobilière et à qui, pour quel prix et à

quelle date il en a disposée, sauf la partie de son actif qu'il aura vendue au cours de son commerce ou celle dont il aura disposé pour le maintien ordinaire de sa famille ;

(2) S'il ne livre pas au Prévôt toute et telle partie de sa propriété dont il a la garde ou le contrôle et qu'il est tenu légalement de livrer ;

(3) S'il ne livre pas au Prévôt, tous livres, documents, papiers et écrits en rapport avec sa propriété ou ses affaires dont il a la garde ou le contrôle ;

(4) Si, après sa demande à la Cour pour une déclaration de faillite, ou dans les six mois qui auront précédé telle demande, il cache aucune partie de sa propriété d'une valeur de dix livres ou au-delà ou cache aucune dette active ou passive ;

(5) Si, après avoir demandé à la Cour une déclaration de faillite ou dans les six mois qui précédent telle demande, il enlève frauduleusement aucune partie de son actif d'une valeur de dix livres ou au-delà ;

(6) S'il omet de déclarer au Comité aucun fait matériel par rapport à ses affaires ;

(7) Si, sachant ou croyant qu'une fausse dette a été présentée au Comité il omet pendant une période d'un mois d'en informer le Comité ;

(8) Si, après sa demande à la Cour pour une déclaration de faillite, il empêche la production d'un livre, document, papier ou écrit quelconque en rapport à ses affaires ;

(9) Si, après sa demande à la Cour pour une déclaration de faillite ou dans les six mois qui précèdent telle demande, il dissimule, détruit mutile ou falsifie ou qu'il participe dans la dissimulation, destruction, mutilation ou falsification d'un livre ou document ayant rapport à son actif ou à ses affaires ;

(10) Si, après sa demande à la Cour pour une

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déclaration de faillite ou dans les six mois qui précédent telle demande, il porte un faux détail ou qu'il participe dans la portée d'un faux détail dans un livre ou document quelconque ayant rapport à ses affaires ;

(11) Si, après sa demande à la Cour pour une déclaration de faillite ou dans les six mois qui précèdent telle demande, il se déssaisit frauduleusement d'un document quelconque ayant rapport à ses affaires ou change ou omet d'insérer un détail matériel dans tel document ou est complice à telle fraude ;

(12) Si, après sa demande à la Cour pour une déclaration de faillite ou dans les six mois qui précèdent telle demande, il essaye de rendre compte d'aucune partie de son actif par des pertes ou dépenses fictives.

(13) Si, dans les six mois qui précèdent sa demande à la Cour pour une déclaration de faillite, il a obtenu par fausses représentations ou autre fraude des biens à crédit et pour lesquels il n'a pas payé ;

(14) Si, dans les six mois qui précèdent sa demande à la Cour pour une déclaration de faillite, il obtient sous le faux prétexte d'exercer un commerce, et s'il est commerçant de trafiquer dans le cours ordinaire de son commerce, des biens à crédit et pour lesquels il n'a pas payé ;

(15) Si, dans les six mois qui précèdent sa demande à la Cour pour une déclaration de faillite, il met en gage ou dispose de biens quelconques qu'il a obtenus à crédit et pour lesquels il n'a pas payé, à moins que ce ne soit dans le cours ordinaire de son commerce ;

(16) S'il est coupable d'aucune fausse représentation ou autre fraude dans le but d'obtenir le consentement de ses créanciers ou d'aucun d'entre eux à un accord quelconque en rapport avec ses affaires ;

(17) Si, avec l'intention de frauder ses créanciers ou aucun d'eux, il a donné, livré ou transféré aucune partie de son actif ou a donné à un créancier une préférence au préjudice des autres ; 1929

(18) Si, après sa demande à la Cour pour une déclaration de faillite ou dans les six mois qui précèdent telle demande, il quitte l'Ile et emporte avec lui ou fait des essais ou des préparatifs pour quitter l'Ile et pour emporter aucune partie de son actif d'une valeur de Vingt livres sterling et au-delà, telle partie de son actif devant être légalement partagée entre ses créanciers.

2. Dans le cas où preuve des faits de fraude allégués aux fins des alinéas (1), (2), (3), (4), (6), (8), (9), (10), (14), (15) et (18) de cet article soit faite, la Cour ne condamnera pas le débiteur si le débiteur prouve qu'il n'avait aucune intention de frauder ou de cacher l'état de ses affaires.

Titre V.

RÈGLEMENTS GÉNÉRAUX.

Article XIX.

(1) Lorsqu'un débiteur qui a été déclaré par la Cour en état de faillite reçoit un salaire ou un revenu quelconque ou a droit à une pension de retraite, la Cour, sur la demande du Comité, fera de temps à autre tel acte qu'elle croit équitable pour le paiement de l'entier ou d'une partie de tel salaire, revenu ou pension de retraite au dit Comité pour être appliqué de telle manière qui sera prescrite par la Cour.

(2) Une femme mariée qui gère un commerce ou métier indépendamment de son mari sera quant au dit commerce ou métier sujette aux dispositions de cette loi de la même manière que si elle n'était pas mariée.

(3) Lorsqu'une femme mariée déclarée en état de

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faillite possède de la propriété indépendamment de son mari dont le revenu n'est pas exigible d'avance, la Cour, sur la demande du Comité pourra ordonner que pendant tel temps qui sera fixé par la Cour, l'entier ou une partie de tel revenu sera payé au Comité pour être partagé entre les créanciers, eu égard aux moyens de la femme pour son maintien et celui de ses enfants.

(4) Un mari comme créancier de sa femme qui a été déclarée en état de faillite n'aura aucune réclamation pour un dividende en rapport avec de l'argent ou d'un meuble quelconque qu'il lui aura prêté ou confié pour les besoins de son commerce ou métier qu'après que les demandes des autres créanciers auront été liquidées.

(5) Lorsque le mari d'une femme mariée a été déclaré en état de faillite, tout argent ou meuble quelconque que telle femme aura prêté ou confié à son mari pour les besoins de son commerce ou métier sera censé faire partie de l'actif du mari, et sa femme comme créancière, n'aura aucune réclamation pour un dividende qu'après que les demandes des autres créanciers auront été liquidées.

Article XX.

Toute personne qui sciemment aidera un débiteur insolvable à enlever, détourner, dissimuler ou détériorer partie de ses biens, ou qui recevra ou cachera des effets appartenant à un débiteur insolvable au préjudice de ses créanciers, sera passible en Police Correctionnelle d'un emprisonnement qui n'excédera pas six mois avec ou sans travail forcé ou d'une amende à discrétion de Justice qui n'excédera pas £250 sterling.

Article XXI.

La Cour Royale est autorisée à passer toutes et telles Ordonnances qu'elle croira nécessaires tant pour la mise à exécution de cette loi, que pour régler

la procédure, la manière de faire preuve des dettes, 1929
les droits respectifs des créanciers, la priorité de dettes et l'admission et le rejet de preuves.

ARTICLE XXII.

Sont et demeurent rappelées excepté en ce qui concerne les demandes pour le bénéfice de la renonciation ou de la cession faites avant l'enregistrement de l'Ordre de Sa Majesté en Conseil sanctionnant la présente loi :—

(*a*) la partie de la loi ayant rapport à la Renonciation et à la Cession sanctionnée par Ordre de Sa Majesté en Conseil en date du 20 décembre 1825 enregistré sur les Records de cette Ile le 31 décembre 1825 ;

(*b*) la loi supplémentaire ayant rapport à la Renonciation volontaire et à la Cession sanctionnée par Ordre de Sa Majesté en Conseil en date du 12 décembre 1891 enregistré sur les Records de cette Ile le 28 décembre 1891 ;

(*c*) la loi ayant rapport à l'arrêt par un créancier de la personne de son débiteur et à la Cession et la Renonciation volontaire sanctionnée par Ordre de Sa Majesté en Conseil en date du 13 mai 1901 enregistré sur les Records de cette Ile le premier juin 1901.

ARTICLE XXIII.

Cette loi viendra en force à telle date qui sera fixée par la Cour Royale dans les deux mois à partir de celle de l'enregistrement de l'Ordre de Sa Majesté en Conseil la sanctionnant.

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[*TRANSLATION*]

LAW RELATING TO DEBTORS AND RENUNCIATION.

PART I.

IMPRISONMENT FOR DEBT.

ARTICLE I.

With the exceptions in this Article and Article III of this law, no person shall in future be arrested or imprisoned for making default in payment of a sum of money.

There shall be excepted from the operation of the above enactment :—

(1) Default in payment of a penalty, or sum in the nature of a penalty, other than a penalty in respect of any contract or agreement :

(2) Default by a trustee or person acting in a fiduciary capacity in payment of any sum in his possession or under his control which he shall have been ordered by the Court to pay :

(3) Default in payment for the benefit of creditors of any part of his salary or other income in respect of which the Court has ordered payment.

(4) Default in payment of any sum in respect of the payment of which the Court is authorized to order imprisonment.

Provided that in the aforementioned cases no person shall be imprisoned for a longer period than one year.

ARTICLE II.

The Court may order the payment of the whole of a debt at a fixed date, or it may order that payment shall be made by instalments of such amounts and at such times as it shall think fit. Every act of the Court ordering payment of debts either in full or by

instalments may be revoked or varied by it at any time. 1929

ARTICLE III.

The Court may commit to prison for a term not exceeding six weeks or until payment of the sum due, any person who makes default in payment of any debt or instalment of any debt which the Court shall have ordered him to pay.

Such power of imprisonment shall only be exercised where it is proved to the satisfaction of the Court that the person making default either has or has had since the date of the order the means to pay the sum in respect of which he has made default, and has refused or neglected, or refuses or neglects to pay the same.

Proof of the means of the person making default may be given in such manner as the Court thinks just, and for the purposes of such proof the Court may examine on oath the debtor and any other witnesses.

A person imprisoned under this article shall notwithstanding his imprisonment continue liable for all that he has been ordered to pay and which he has not paid, and a creditor shall retain all his rights, claims and remedies against the movable and immovable property of such person in the same manner as if the imprisonment had not taken place.

Any person imprisoned under this Article who pays the debt or instalment in respect of which he has been imprisoned shall be discharged out of custody by the Prévôt who shall make a report thereon to the Court.

ARTICLE IV.

(1) Where a creditor proves to the satisfaction of the Bailiff or a Jurat of the Royal Court that there is reason to fear that his debtor is about to leave the Island, the Bailiff or such Jurat, as the case may be,

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may order the arrest of the person of the debtor ; such order shall only be granted in respect of a sum of Ten pounds or more and upon an affidavit sworn before the Bailiff, or such Jurat, as the case may be, which shall contain :—

(*a*) the debtor's name and address ;

(*b*) the amount and nature of the debt ;

(*c*) the declaration stating the facts which lead the declarant to fear that the debtor is about to leave the Island ;

(*d*) that he has applied unsuccessfully to the debtor for payment of the sum due ;

(*e*) that the debtor's absence from the Island would considerably prejudice the action he desires to commence.

(2) In this Article a creditor shall include the attorney or the person managing or in charge of the business of the creditor.

(3) Where an order to arrest the person for the purposes of the preceding sub-section is granted, such order shall be deemed to be the commencement of an action and such creditor shall be deemed thereafter to be the plaintiff in such action and shall within eight days of the date of the said order pursue such action against the debtor to see the Court confirm the arrest, in default of which the said order shall cease to have effect, and the debtor, if arrested, shall be liberated.

(4) The debtor shall not be imprisoned, if he furnishes security to the satisfaction of the Prévôt for the amount claimed ; and in any case the Bailiff may order that the debtor shall not be imprisoned on his taking an oath before the Bailiff not to leave the Island without the permission in writing of the Bailiff. Any person who, having taken such oath, leaves or attempts to leave the Island without such permission shall be deemed guilty of perjury and may be arrested either by the Prévôt, or by the Island Police.

(5) This Article in no way derogates from the right of the debtor to apply to the Court for a declaration that he is insolvent and, on his making such application he shall not be imprisoned, and if he is imprisoned under this law he shall be liberated at once.

(6) At the time of the execution of the order to arrest, the Prévôt shall serve the debtor with a copy of such order and of the affidavit with which the creditor has furnished him.

PART II.

PROCEDURE IN CASES OF RENUNCIATION.

ARTICLE V.

Cession is abolished.

ARTICLE VI.

Every person who is unable to pay his debts may apply to the Court for a declaration that he is insolvent (hereinafter referred to as a declaration of insolvency).

ARTICLE VII.

(1) When a debtor applies to the Court for a declaration of insolvency, his application shall be adjourned for one month to enable his creditors to be heard, and the Court shall name a Jurat as Commissioner and a Committee of creditors (hereinafter called "the Committee") to supervise and secure the estate of the debtor. Within four days the debtor shall prepare an inventory of his movable and immovable property and a list of his assets and liabilities as to the truth of which inventory and list the debtor shall take an oath before the Court and the debtor shall present the said inventory and list to the Committee with his declaration.

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During the month a meeting of creditors shall be held and presided over by the Commissioner, at which the debtor shall be present in order to answer any questions which may be put to him by his creditors. Notice of the place and time of such meeting shall be given by the Committee by an announcement in the official part of the *Gazette* of this Island and in at least one daily newspaper published in English in this island at least ten days before the day of such meeting and by a notice posted in the vestibule of the Court and in the Church porch of the parish where the debtor resides. The debtor shall also give notice in writing to all his creditors at least four days before the meeting of the place and time of such meeting.

(2) The debtor shall, on the day he applies to the Court for a declaration of insolvency, or immediately afterwards, deliver to the Prévôt all books, titles, papers and other documents having reference to his affairs, and all his movable property which is divisible amongst his creditors.

(3) If a debtor neglects to perform the duties imposed on him by this Article or to deliver to the Prévôt any part of his movable property which is divisible among his creditors and which is in his possession or under his control, he shall be guilty of a contempt of Court and shall be punishable by fine or imprisonment.

Article VIII.

When the debtor applies to the Court for a declaration of insolvency, he shall take an oath not to leave the Island without the permission of the Court until the Court has adjudicated on such application. Any person who, having taken such oath, leaves or attempts to leave the Island without such permission shall be deemed guilty of perjury and may be arrested either by the Prévôt or the Island Police.

ARTICLE IX. 1929

(1) Every conveyance of property, whether movable or immovable, or charge thereon made, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any person unable to pay his debts as they become due from his own money in favour of any creditor or any person in trust for any creditor, with a view of giving such creditor a preference over the other creditors shall, if such conveyance, charge, payment, obligation, or judicial proceeding has been made, taken, suffered or obtained within three months prior to the debtor's application for a declaration of insolvency, be deemed fraudulent and void as against the Committee.

(2) This Article shall not affect the rights of any person making title in good faith and for valuable consideration through or under a creditor of the bankrupt.

(3) Subject to the foregoing provisions of this article with respect to the effect of insolvency on the avoidance of certain preferences, nothing in this law shall invalidate, in the case of insolvency :

(*a*) any payment by the debtor to any of his creditors ;

(*b*) any payment or delivery to the debtor ;

(*c*) any conveyance or assignment by the debtor for valuable consideration ;

(*d*) any contract, dealing or transaction by or with the debtor for valuable consideration ;

Provided that both the following conditions are complied with, namely :—

(i) that the payment, delivery, conveyance, assignment, contract, dealing or transaction, as the case may be, takes place before the date of the declaration of insolvency ; and

(ii) that the person (other than the debtor) to, by, or with whom the payment, delivery,

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conveyance, assignment, contract, dealing, or transaction was made, executed, or entered into, has not at the time of the payment, delivery, conveyance, assignment, contract, dealing, or transaction, notice of an application to the Court for a declaration of the debtor's insolvency.

ARTICLE X.

In general meetings of creditors every question submitted with regard to the administration or realisation of the debtor's property or an offer of composition by the debtor shall be decided by the majority of unsecured creditors present, provided that such creditors present represent two-thirds of the total unsecured liabilities declared by the debtor without prejudice nevertheless to preferential claims.

ARTICLE XI.

At the end of the month prescribed in Article VII, the Court shall adjudicate upon the debtor's application for a declaration of insolvency, after having heard both the creditors and the Commissioner's report regarding the debtor's affairs.

ARTICLE XII.

Every debtor who has been declared by the Court to be insolvent, may at any time apply to the Court for the benefit of renunciation.

ARTICLE XIII.

On the hearing of the application of a debtor for the benefit of renunciation, the Court shall hear the creditors and the Commissioner's report as to the debtor's conduct and affairs, and may either grant or refuse the benefit of renunciation or suspend such benefit for a specified time, or grant renunciation

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subject to such conditions with respect to any earnings or income which may afterwards be earned or received by the debtor or with respect to his after-acquired property and to such other conditions as the Court may order.

(1) Provided always that the Court shall refuse the benefit of renunciation where the debtor has been found guilty of fraud under this law or of any other misdemeanour or felony connected with his insolvency, unless for special reasons the Court otherwise determines, and the Court shall, on proof of any of the facts mentioned in section (2) of this Article, either

(*a*) refuse the benefit of renunciation ; or

(*b*) suspend the benefit of renunciation for a period of not less than two years, provided that this period may be reduced to less than two years if the only fact proved of those mentioned in section (2) of this Article is that the debtor's assets are not of a value sufficient to pay ten shillings in the pound on the amount of his ordinary debts ; or

(*c*) suspend the benefits of renunciation until a dividend of not less than ten shillings in the pound has been paid to the creditors ; or

(*d*) grant the benefit of renunciation on condition that the debtor consents to judgment being entered against him in favour of the Committee of his creditors for any balance or part of any balance of the debts owed by him at the date of his application for the benefit of renunciation, such balance to be paid out of the future earnings or after-acquired property of the debtor in such manner and subject to such conditions as the Court may direct. Execution shall not be issued on such judgment without leave of the Court, which leave may be given on proof that the debtor has since his application for the benefit

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of renunciation acquired property whether movable or immovable or income available towards payment of his debts.

Provided that if at any time after the expiration of two years from the date of the order of the Court made under this Article, the debtor satisfies the Court that there is no reasonable probability of his ever being in a position to comply with the terms of the order, the Court may modify the terms of the order or of any substituted order, in such manner and upon such conditions as it may think fit.

(2) The facts referred to in the preceding section are :—

(*a*) that the debtor's assets are not of a value equal to ten shillings in the pound on the amount of his unsecured liabilities, unless he satisfies the Court that this fact has arisen from circumstances for which he cannot justly be held responsible.

(*b*) that the debtor has omitted to keep such books of account as are usual in the business carried on by him and as sufficiently disclose his business transactions and financial position within the three years immediately preceding his application for a declaration of insolvency,

(*c*) that the debtor has continued to trade after knowing himself to be insolvent,

(*d*) that the debtor has contracted any debt without reasonable ground of expectation of being able to pay it,

(*e*) that the debtor has failed to account satisfactorily for any loss of assets or for any deficiency of assets,

(*f*) that the debtor has brought on, or contributed to his bankruptcy by rash and hazardous speculations, or by unjustifiable extravagance in living, or by gambling, or by culpable neglect of his business affairs,

(*g*) that the debtor has put any of his creditors to unnecessary expense by a frivolous or vexatious defence to any action properly brought against him, 1929

(*h*) that the debtor has, within three months preceding the date of his application for a declaration of insolvency, incurred unjustifiable expense by bringing a frivolous or vexatious action,

(*i*) that the debtor has, within three months preceding his application for a declaration of insolvency, when unable to pay his debts as they become due, given an undue preference to any of his creditors.

(*j*) that the debtor has, within three months preceding his application for a declaration of insolvency, incurred liabilities with a view of making his assets equal to ten shillings in the pound on the amount of his unsecured liabilities.

(*k*) that the debtor has, on any previous occasion, been declared insolvent or made a composition with his creditors,

(*l*) that the debtor has been guilty of any fraud or any fraudulent breach of trust.

ARTICLE XIV.

Subject to the conditions imposed by the Court, a debtor admitted to the benefit of renunciation shall be discharged from payment of his debts contracted before his application for a declaration of insolvency except:

(*a*) a debt due to the Crown or to a person for any offence against a law relating to the public revenue or for bail given for the appearance of a person accused of crime.

(*b*) a debt or liability incurred by means of any fraud or fraudulent breach of trust to which he was a party, or a debt or liability whereof

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he has obtained a discharge by any fraud to to which he was a party :

(*c*) any liability under a judgment of the Court against him in an action under an affiliation order.

A debtor shall not be discharged from these debts except with the authority of the Court and subject to such conditions as may be prescribed by the Court.

ARTICLE XV.

Shall be guilty of a misdemeanour and liable to imprisonment which shall not exceed two years with or without hard labour a debtor who has been declared in a state of insolvency by the Court and who has not been unconditionally admitted to the benefit of renunciation,

(*a*) who undertakes or engages in a trade or business whatsoever on his own account,

(*b*) who neglects or fails to comply with any condition imposed by the Court,

(*c*) who either alone or jointly with another obtains credit to the extent of Ten pounds or upward from any person without informing him that he is or has been insolvent,

(*d*) who has obtained credit under false pretences or by means of fraud ;

(*e*) who, with intent to defraud his creditors or any of them, has made any donation or transfer of either his movable or immovable property or has consented to a bond or registration against such property ;

(*f*) who, with intent to defraud his creditors has concealed or removed any part of his property since or within two months preceding a judgment for the payment of a debt due by him.

PART III.

DEBTORS WHOSE AFFAIRS HAVE BEEN DECLARED IN A STATE OF "DÉSASTRE" BY THE CREDITORS.

ARTICLE XVI.

Any debtor whose affairs have been declared in a state of "désastre" by his arresting creditors at a meeting held before a Jurat as Commissioner of the Court, may be summoned before the Court by such arresting creditors or by one of them to hear the Court declare that the debtor is insolvent. If the Court so declare the procedure in this case shall be the same as that prescribed in Part II of this law and such declaration shall be deemed to be an application by the debtor for a declaration of insolvency.

PART IV.

PROCEDURE IN CASES OF FRAUD.

ARTICLE XVII.

Where acts of fraud are alleged by creditors against a debtor, the Court may make such order as it thinks reasonable to give an opportunity to the Law Officers to examine such acts of fraud and institute proceedings against him if necessary.

ARTICLE XVIII.

1. Any debtor who has obtained a declaration of insolvency shall be deemed in each of the following cases to have committed a fraudulent act and shall be guilty of a misdemeanour and liable to imprisonment not exceeding two years with or without hard labour.

(1) If he does not to the best of his knowledge disclose to the Committee all his property whether movable or immovable, and to whom and for what consideration and when he dis-

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posed of any part thereof, except such part as has been disposed of in the ordinary way of his trade (if any) or laid out in the ordinary expense of his family ;

(2) If he does not deliver up to the Prévôt all such part of his property as is in his custody or under his control and which he is required by law to deliver up ;

(3) If he does not deliver up to the Prévôt all books, documents, papers and writings in his custody or under his control relating to his property or affairs ;

(4) If, after his application to the Court for a declaration of insolvency, or within six months next before such application, he conceals any part of his property to the value of ten pounds or upwards, or conceals any debt due to or from him ;

(5) If, after having applied to the Court for a declaration of insolvency, or within six months next before such application, he fraudulently removes any part of his property to the value of ten pounds or upwards ;

(6) If he makes any material omission in any statement to the Committee relating to his affairs ;

(7) If, knowing or believing that a false debt has been presented to the Committee he fails for the period of a month to inform the Committee thereof ;

(8) If, after his application to the Court for a declaration of insolvency, he prevents the production of any book, document, paper or writing relating to his affairs ;

(9) If, after his application to the Court for a declaration of insolvency, or within six months next before such application, he conceals, destroys, mutilates or falsifies, or is privy to the concealment, destruction, muti-

lation or falsification of any book or document relating to his affairs ;

(10) If, after his application to the Court for a declaration of insolvency, or within six months next before such application, he makes or is privy to the making of false entry in any book or document relating to his affairs ;

(11) If, after his application to the Court for a declaration of insolvency, or within six months next before such application, he fraudulently parts with, alters, or makes any omission in, or is privy to the fraudulently parting with, altering, or making any omission in, any documents relating to his affairs ;

(12) If, after his application to the Court for a declaration of insolvency, or within six months next before such application, he attempts to account for any part of his property by fictitious losses or expenses ;

(13) If, within six months next before his application to the Court for a declaration of insolvency, he, by any false representation or other fraud, has obtained any goods on credit and has not paid for the same ;

(14) If, within six months next before his application to the Court for a declaration of insolvency, he obtains under the false pretence of carrying on business and, if a trader, of dealing in the ordinary way of his trade, any property on credit and has not paid for the same ;

(15) If, within six months next before his application to the Court for a declaration of insolvency, he pledges or disposes of any property which he has obtained on credit and has not paid for, unless such pledging or disposing is in the ordinary way of his trade ;

(16) If he is guilty of any false representation or other fraud for the purpose of obtaining the

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consent of his creditors or any of them to an agreement with reference to his affairs :

(17) If, with intent to defraud his creditors or any of them, he has given, delivered up or transferred any part of his assets or given a creditor preference to the prejudice of the others ;

(18) If, after his application for a declaration of insolvency or within six months next before such application, he leaves the Island and takes away with him or attempts or prepares to leave the Island and to take away any part of his assets of the value of £20 and over, which should by law be divided amongst his creditors ;

2. Where an act of fraud alleged under any of sub-sections (1), (2), (3), (4), (6), (8), (9), (10), (14), (15), and (18) of this Article is proved, the Court shall not convict the debtor if he proves that he had no intent to defraud or to conceal the state of his affairs.

Part V.

GENERAL REGULATIONS.

Article XIX.

(1) Where a debtor who has been declared by the Court to be insolvent is in receipt of a salary or income or is entitled to a pension, the Court, upon the application of the Committee shall from time to time make such order as it thinks just for the payment of the salary, income or pension, or any part thereof to the said Committee to be applied by them in such manner as the Court may direct.

(2) A married woman carrying on a business or trade independently of her husband shall, in respect of such business or trade, be subject to the provisions of this law in the same manner as if she were unmarried.

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(3) Where a married woman who has been declared insolvent has separate property the income of which is subject to a restraint on anticipation, the Court shall have power, on the application of the Committee to order that, during such time as the Court may order, the whole or some part of such income be paid to the Committee for distribution amongst the creditors, having regard to the means of subsistence available for such woman and her children.

(4) Where a married woman has been declared insolvent, her husband shall not be entitled to claim any dividend as a creditor in respect of any money or other movable property lent or entrusted by him to his wife for the purposes of her trade or business until all claims of the other creditors of his wife have been satisfied.

(5) Where the husband of a married woman has been declared insolvent, any money or other movable property of a wife lent or entrusted by her to her husband for the purpose of his trade or business shall be treated as assets of his estate, and the wife shall not be entitled to claim any dividend as a creditor in respect of any such money or other estate until all claims of the other creditors of her husband have been satisfied.

ARTICLE XX.

Any person who knowingly aids an insolvent to remove, misappropriate, conceal or destroy any part of his property, or who receives, or conceals goods belonging to an insolvent to the prejudice of his creditors, shall be liable on summary conviction to imprisonment for a term not exceeding six months with or without hard labour or to a fine at the discretion of the Court not exceeding £250.

ARTICLE XXI.

The Royal Court is authorized to pass all such Ordinances as it may deem necessary for the carrying out of this law, for regulating procedure, the manner of proving debts, the respective rights of creditors, the priority of debts and the admission and rejection of proofs.

ARTICLE XXII.

Are and remain repealed except as concerns applications for the benefit of Renunciation or Cession made prior to the registration of His Majesty's Order in Council sanctioning this Law

(*a*) that part of the Law relating to Renunciation and Cession sanctioned by Order of His Majesty in Council dated 20th December, 1825, registered on the Records of this Island the 31st December, 1825 ;

(*b*) the supplementary law relating to Voluntary Renunciation and Cession sanctioned by Order of Her Majesty in Council of the 12th December, 1891 ; registered on the Records of this Island the 28th December, 1891 ;

(*c*) the law relating to the arrest by a creditor of his debtor's person and voluntary Cession and Renunciation sanctioned by Order of His Majesty in Council of the 13th May, 1901, registered on the Records of this Island on the 1st June, 1901.

ARTICLE XXIII.

This law shall come into force at a date which shall be fixed by the Royal Court within two months of the Registration of His Majesty's Order in Council sanctioning the same.

(*Enregistré sur les Records le 7 septembre* 1929.) 1929

The Methodist Church Union Act.

Monsieur le Bailliff ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 5 juillet 1929 transmettant des exemplaires imprimés de l'Acte de Parlement suivant :—

19 and 20 George V, Chapter LIX, " The Methodist Church Union Act, 1929."

La Cour après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné :—

(1) Que le dit Ordre sera enregistré sur les Records de cette Ile,

(2) Qu'un exemplaire du dit Acte de Parlement sera enregistré sur les Records de cette Ile par être logé au Greffe.

(3) Qu'un extrait des Registres de ce présent acte avec un exemplaire du dit Acte de Parlement sera transmis par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 7 septembre* 1929).

The Berne Copyright Convention (Denunciation by Liberia) Order, 1929.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 15 août 1929, transmettant des exemplaires d'un Ordre en Conseil intitulé :

" Order in Council of the 15th August, 1929, entitled 'The Berne Copyright Convention (Denunciation by Liberia) Order, 1929.' "

La Cour, après avoir eu lecture du dit Ordre en Conseil en date du 15 août 1929 communiqué, ouïes les conclusions des Officiers du Roi, a ordonné :—

(1) Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette Ile.

(2) Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des records de cette Ile.

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(3) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis, sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

ORDRES EN CONSEIL

(*Enregistré sur les Records le 23 novembre* 1929.) 1929

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of November, 1929.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY

PRIME MINISTER — LORD CHAMBERLAIN
LORD PRESIDENT — LORD SOUTHBOROUGH
HON. SIR FRANCIS LINDLEY.

Impôts—Auregny.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of October, 1929, in the words following viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney setting forth :— 'That on the 1st day of November, 1928, Your Majesty was graciously pleased by Your Majesty's Order in Council to grant to the States of the Island of Alderney power to levy a duty of seven shillings and sixpence per gallon on Spirituous Liquors and Liqueurs retailed and consumed in the Island : a duty of three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of one shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of five shillings per gallon on Wines named Champagne and Sparkling Wines retailed and consumed in the Island : a duty of three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of seven pence per gallon on all Beer imported, brewed and consumed in the Island : a duty of sixpence per pound on all Tobacco : of one shilling and

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three pence per pound on all cigars and of one shilling and four pence per pound on all Cigarettes consumed in the Island for the term of one year from the date of the registration of Your Majesty's said Order in Council on the Records of the said Island the proceeds of the said duties to be applied to the purposes and under the conditions as hereby follows :

'(*a*) Payment of One hundred Pounds sterling per annum in liquidation of the Public Debt : (*b*) Payment of One Hundred Pounds sterling per annum to the Commissioners of Crown Lands as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty Pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of the expenses of Public Elementary Education beyond the Endowment : (*j*) Payment of the expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, cleaning and keeping in repair all Public tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty Pounds sterling per annum salary of the States Treasurer's Clerk : (*o*) Payment of Thirty Pounds sterling per annum salary of the States Inspector of Explosives : (*p*) Payment of Ten Pounds sterling per annum salary of the States Immigration Officer :

(*q*) Payment of One Hundred Pounds sterling per annum in redemption of the loan sanctioned by Your Majesty's Order in Council of the 15th day of June, 1928, and to be subject to the following conditions :— 1929

'(1) That an annual account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics accounts shall be submitted to annual audit each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt account shall be kept separate from other funds : (5) That the States shall be authorised from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly or indirectly with the Impot.

'That Your Majesty's said Order in Council was registered on the Records of the Island of Alderney the twenty-fourth day of November, 1928.

'That at a Meeting of the States of the Island of Alderney holden before the Petitioner on the 25th day of September, 1929, the States were of opinion to renew for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the Island the Impôt on Wines, Spirits, Beer, Tobacco, Cigars and Cigarettes

1929 on the terms herein set forth, the proceeds of the said duties to be applied to the purposes and under the conditions set forth as under :—

'Impôts on Spirituous Liquors and Liqueurs retailed and consumed in the Island seven and six pence per gallon : a duty of three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of one shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of five shillings per gallon on Wines named Champagne and Sparkling Wines retailed and consumed in the Island : a duty of three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of seven pence per gallon on all Beer, imported, brewed, and consumed in the Island : a duty of six pence per pound on all Tobacco, of one shilling and three pence per pound on all Cigars and of one shilling and fourpence per pound on all Cigarettes consumed in the Island : the proceeds of the said duties to be applied to the purposes and under the conditions as hereby follows :

'(*a*) Payment of One hudrned pounds sterling per annum in liquidation of the Public Debt (if any) : (*b*) Payment of One Hundred Pounds sterling per annum to the Commissioners of Crown Lands as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty Pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of the expenses of Public Elementary Education beyond the Endowment : (*j*) Pay-

ment of expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, cleaning and keeping in repair all Public Tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty Pounds sterling per annum salary of the States Treasurer's Clerk : (*o*) Payment of Thirty Pounds sterling per annum salary of the States Inspector of Explosives : (*p*) Payment of Ten Pounds sterling per annum salary of the States Immigration Officer : (*q*) Payment of One Hundred Pounds sterling per annum in redemption of the loan sanctioned by Your Majesty's Order in Council of the 15th day of June, 1928 : and to be subject to the following conditions :— 1929

'(1) That an annual account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics accounts shall be submitted to annual audit each year by the said Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt account shall be kept separately from other funds : (5) That the States shall be authorised from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney

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shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt.

'That at the said Meeting of the States holden before the Petitioner on the 25th day of September, 1929, the Petitioner was authorised to present in the name of the States a most humble petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the States the power to levy the said duties for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the said Island. And most humbly praying Your Majesty to be graciously pleased to grant the States of Alderney power to levy the said duties for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the said Island.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorised for the term of one year from the date of registration of this Order of His Majesty in Council on the Records of the said Island to levy the duties specified in the said Petition upon the terms and conditions detailed therein.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Islands of Guernsey and Alderney and observed accordingly.

AND the Lieutenant-Governor or Commander-

in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly. 1929

COLIN SMITH.

(*Enregistré sur les Records le 23 novembre* 1929.)

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of November, 1929.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
PRIME MINISTER
LORD PRESIDENT
LORD CHAMBERLAIN
LORD SOUTHBOROUGH
HON. SIR FRANCIS LINDLEY.

Auregny. Loi relative à la Vaccination des Enfants.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the affairs of Guernsey and Jersey, dated the 19th day of September, 1929, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth : 'That there is no law with reference to the Compulsory Vaccination of children born in the Island of Alderney : (2) That the Court is of opinion that it might be advisable to introduce legislation dealing with this matter and requested the Petitioner to prepare a Projet de Loi to be submitted to the States for their consideration : (3) That at a Meeting of the States of the Island of Alderney holden before the Petitioner on the 16th day of May, 1927, the States considered the Projet de Loi

1929 intituled " Loi relative à la Vaccination des Enfants," and were of opinion that a clause granting exemption to conscientious objectors should be inserted therein ; (4) That at a Meeting of the States of Alderney holden before the Petitioner on the 11th day of July, 1927, the States were of opinion to adopt the said Projet de Loi thus amended, and authorised the Petitioner to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereunto Your Royal Sanction ; (5) That on the 30th day of May, 1928, further amendments to the said Projet de Loi suggested by the Royal Court of the Island of Guernsey were considered and adopted by the States, which amendments are incorporated in the said Projet (a copy whereof is hereunto annexed). And humbly praying Your Majesty to be graciously pleased to grant Your Royal Sanction to the said Projet de Loi and to order the same to have force of Law in Your Majesty's said Island of Alderney.'

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

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And the Lieutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI RELATIVE À LA VACCINATION DES ENFANTS.

ARTICLE GÉNÉRAL.

Définitions.

Dans cette Loi le terme "parent" s'applique à toute personne ayant charge d'un enfant : le terme "Vaccinateur" s'applique soit au Vaccinateur Public, soit au médecin ou chirurgien autorisé à exercer et exerçant sa profession dans cette Ile auquel un enfant sera présenté pour la vaccination : le terme "Registraire" s'applique au Registraire ou au Député Registraire des Naissances et des Morts de cette Ile.

Vaccinateur Public et ses devoirs.

1.—Il sera nommé par le Comité Sanitaire de cette Ile aux frais des Etats un médecin ou chirurgien exerçant sa profession en cette Ile, qui exercera dans cette Ile les devoirs de "Vaccinateur Public."

2.—Le Vaccinateur Public sera obligé de vacciner avec l'anglicé "Glycerinated Calf Lymph," fourni par lui à ses propres frais.

3.—L'opération aura lieu au domicile de l'enfant, ou à tout autre lieu convenable qui sera prescrit dans l'intérêt de la santé de l'enfant par le Vaccinateur.

Forme d'Instructions sera livrée au parent, &c.

4.—Lors de l'enregistrement de la naissance d'un enfant, le Registraire livrera au parent ou autre per-

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sonne représentant le parent du dit enfant selon le cas, la Forme d'Instructions, modèle, " A," et sera le dit parent tenu de s'y conformer sous les peines ci-dessous mentionnées.

Devoirs du parent.

5.—Le parent d'un enfant qui naîtra en cette Ile après l'enregistrement de cette présente Loi, devra, dans les six mois de la naissance de l'enfant, le présenter avec la Forme d'Instructions qu'il aura reçue du Registraire, soit au Vaccinateur Public, soit à ses propres frais à un autre médecin ou chirurgien exerçant sa profession en cette Ile, pour être vacciné suivant les prescriptions de la présente Loi. Le Vaccinateur devra le vacciner si l'enfant se trouve dans un état de santé qui ne l'empêche pas d'être vacciné.

6.—Dans la semaine suivante, et le même jour de la semaine que celui où l'opération a été pratiquée, le parent devra représenter l'enfant au Vaccinateur, de façon qu'il soit examiné pour déterminer le résultat de l'opération. Dans le cas de non-réussite, l'enfant devra être de nouveau vacciné comme la première fois, si le Vaccinateur le juge dans un état convenable.

7.—Le Vaccinateur qui a vacciné un enfant et a reconnu que le dit enfant a été vacciné avec succès, devra de suite livrer au parent un certificat constatant le fait dans la forme du modèle " B," daté et signé de lui. Le parent est tenu de transmettre le dit certificat au Registraire avant l'expiration des sept jours de la réception.

Cas où l'enfant n'est pas dans une bonne disposition pour être vacciné.

8.—Si le Vaccinateur est d'avis que l'enfant n'est pas dans une bonne disposition pour être vacciné, il devra de suite livrer au parent un certificat, daté et signé de lui, dans la forme du modèle " C," constatant que l'enfant est dans un état de santé qui ne permet pas la vaccination. Ce certificat sera valable pour deux mois, et sera renouvelable pour des périodes successives de même durée pendant l'année qui suivra la naissance de l'enfant. A la fin de chaque période successive, le parent est tenu de représenter

l'enfant au Vaccinateur pour être vacciné ou pour le renouvellement du certificat. Il est aussi tenu de transmettre dans les sept jours, au Registraire tout certificat ou certificats renouvelés par lui reçus du Vaccinateur, sous peine d'une amende qui n'excédera pas cinq chelins sterling.

Cas où l'enfant est dans un état de santé favorable.

9.—Aussitôt que le Vaccinateur aura jugé que l'état de l'enfant est favorable à une bonne vaccination, le parent sera tenu de le faire vacciner sans retard, et un certificat sous les formes des modèles " B " ou " D," constatant le résultat, lui sera livré par le Vaccinateur et sera par lui transmis, dans les sept jours, au Registraire.

Non-réussite de la Vaccination d'un enfant.

10.—Si la vaccination n'a pas réussi le Vaccinateur livrera au parent un certificat dans la forme modèle " E," lequel sera transmis par le parent au Registraire dans les sept jours, comme est porté dans l'article 8. Et sera tel parent tenu de représenter l'enfant pour la vaccination avant l'expiration de quatorze jours, ou avant tel terme que le Vaccinateur aura fixée.

11.—Si le Vaccinateur juge qu'un enfant qu'il aura déjà vacciné trois fois sans succès est impropre à une bonne vaccination, ou que l'enfant, qui lui est présenté pour être vacciné a déjà eu la variole, il livrera au parent un certificat, daté et signé de sa main, dans la forme du modèle " D," et sera tel parent exempté de présenter l'enfant pour qu'il soit re-vacciné. Le certificat sera transmis par lui dans les sept jours de la réception au Registraire.

Cas où le parent néglige de présenter l'enfant pour être vacciné.

12.—Tout parent qui néglige de présenter l'enfant à la vaccination dans les six mois de la naissance ou qui néglige de le représenter au Vaccinateur suivant les dispositions de cette Loi, et ne présente pas une excuse raisonnable de ses négligences, sera passible d'une amende qui n'excédera pas vingt chelins stg., et tout parent qui néglige dans les sept jours de la réception de transmettre au Registraire un certificat à lui livré par le Vaccinateur, sera passible d'une amende qui n'excédera pas cinq chelins sterling.

Pénalité.

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Vaccinateur vaccinant avec vaccin autre que du "Glycerinated Calf Lymph"; &c.

13.—Tout Vaccinateur qui aura vacciné avec du vaccin autre que le vaccin animal, anglicé "Glycerinated Calf Lymph," ou qui refusera ou négligera de remplir et signer, et délivrer au parent un certificat constatant le résultat d'une vaccination qu'il aurait eu à faire, sera passible d'une amende de vingt chelins stg. Toute personne qui sciemment et volontairement, signera un faux certificat, sera punissable d'emprisonnement pour un terme n'excèdant pas un mois avec ou sans travail forcé ou d'une amende n'excédant pas Dix Livres sterling ou de tel emprisonnement et telle amende cumulativement.

Pénalité pour infraction.

14.—Dans une poursuite pour avoir négligé à faire vacciner un enfant, il ne sera pas nécessaire d'établir que l'accusé a reçu avis du Registraire ou du Député-Registraire des exigences de la loi à cet égard.

Devoirs et honoraires du Registraire.

15.—Le Registraire des Naissances, des Mariages, et des Morts, gardera en liasse les certificats qui lui seront transmis ou par lui reçus directement, et en tiendra un registre ; il permettra de faire des recherches dans ce registre, et sur la demande qui lui en sera faite il donnera copie de certificats et d'enregistrements moyennant paiement de six pennis stg., par chaque recherche, et six pennis pour chaque copie. Bien entendu que les susdits honoraires ne seront pas exigibles du Vaccinateur Public. Pour les services qui lui seront imposés par la présente loi, il lui sera payé annuellement par les Etats de cette Ile, la somme de six livres sterling.

Livres, certificats, &c., seront fournis par les Etats.

16.—Les Etats fourniront aux Registraire, Vaccinateur Public, Médecins et Chirurgiens exerçant leur profession dans cette Ile, les livres, certificats et autres imprimés qui leur seront nécessaires, conformément aux dispositions de cette Loi.

17.—Les amendes seront applicables moitié à Sa Majesté et moitié au délateur.

Objection conscientieuse.

18.—Sera exempt des pénalités prescrites par l'article 12 de cette Loi, tout parent qui, dans les quatre mois calendriers de la naissance de l'enfant,

par une déclaration par serment faite devant la Cour de cette Ile, aura satisfait la Cour qu'il croit consciencieusement que la vaccination serait préjudiciable à la sante de tel enfant, et qui dans les sept jours ensuivant aura transmis au Registraire l'acte de la Cour constatant la dite déclaration.

Vaccinateur visitera le lieu où un enfant âgé de 4 mois n'a pas été vacciné, et fera offre de le vacciner.

19.—Si un enfant n'a pas été vacciné dans les quatre mois de sa naissance, le Vaccinateur Public, après avoir donné au moins vingt-quatre heures d'avis au parent, visitera le lieu ou l'enfant demeure et fera offre de vacciner l'enfant avec l'anglicé "Glycerinated Calf Lymph."

CÉDULE DE FORMES.

FORME D'INSTRUCTIONS (MODÈLE A).

Cédule. Forme "A."

Je, soussigné, vous signifie par ces présentes que suivant à la Loi relative à la Vaccination, vous êtes tenu de faire vacciner l'enfant (*suivent les noms*) dont la naissance est aujourd'hui enregistrée, dans les six mois qui suivront la naissance, savoir : avant le jour de 19 . Et que faute à vous de ce faire, vous serez sujet aux peines et pénalités imposées par la Loi.

Vous êtes libre de présenter l'enfant, soit au Vaccinateur Public de cette Ile, soit à vos propres frais à un autre médecin ou chirurgien exerçant sa profession en cette Ile.

Vous êtes tenu de me remettre, dans les sept jours de la réception, tous et tels certificats qui vous seront livrés par le Vaccinateur auquel vous aurez présenté l'enfant. A défaut de ce faire, vous serez à une pénalité.

Ce jour de 19

Signé Registraire.

FORME DE CERTIFICAT (MODÈLE "B").

Forme "B."

Je, soussigné, certifie par ces présentes que (*nom*

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de l'enfant), enfant de né le 19 , dans l'Ile d'Auregny, a été vacciné par moi avec succès.

Daté ce jour de 19

Signé Vaccinateur Public.
ou Médecin ou Chirurgien.

N.B.—Le Vaccinateur livrera le certificat ci-dessus au parent ou à la personne ayant charge de l'enfant, lesquels sont tenus de le remettre dans les sept jours au Registraire.

FORME DE CERTIFICAT (MODÈLE C).

Forme "C."

Je, soussigné, certifie par ces présentes que je suis d'avis que (*suivent les noms de l'enfant*), enfant de né le dans l'Ile d'Auregny, n'est pas dans une bonne disposition pour être vacciné avec succès, et je remets par ces présentes la vaccination jusqu'au jour de 19 .

Daté ce jour de 19

Signé Vaccinateur Public.
ou Médecin ou Chirurgien.

(Le terme n'excédera pas deux mois.)

N.B.—Le Vaccinateur livrera le certificat ci-dessus au parent ou à la personne ayant charge de l'enfant, lesquels sont tenus de le remettre dans les sept jours au Registraire.

FORME DE CERTIFICAT (MODÈLE "D").

Forme "D."

Je, soussigné, certifie par ces présentes que j'ai fois vacciné sans succès (*suivent les noms*), enfant de né le en l'Ile d'Auregny (ou que enfant de né le à Auregny a déjà eu la variole), et je suis d'avis que le dit enfant n'est pas susceptible à la vaccination.

Daté ce jour de 19

Signé Vaccinateur Public.
ou Médecin ou Chirurgien.

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N.B.—Le Vaccinateur livrera le certificat ci-dessus au parent ou à la personne ayant charge de l'enfant, lesquels sont tenus de le remettre dans les sept jours au Registraire.

FORME DE CERTIFICAT (MODÈLE "E").

Forme "E."

Je, soussigné, certifie avoir fois vacciné sans succès (*noms*), enfant de , né le jour de , à Auregny, et avoir signifié à parent ou personne ayant charge de l'enfant de me répresenter le dit enfant le 19

Daté ce jour de 19

Signé Vaccinateur Public.
ou Médecin ou Chirurgien.

N.B.—Le Vaccinateur livrera le certificat ci-dessus au parent ou à la personne ayant charge de l'enfant, lesquels sont tenus de le remettre dans les sept jours au Registraire.

(Enregistré sur les Records le 23 novembre 1929.)

AT THE COURT AT BUCKINGHAM PALACE.

The 5th day of November, 1929.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
PRIME MINISTER
LORD PRESIDENT
LORD CHAMBERLAIN
LORD SOUTHBOROUGH
HON. SIR FRANCIS LINDLEY.

Loi relative à la probation de Délinquants.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 15th day of August, 1929, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of

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May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth: '(1) That by an Order in Council of the 1st August, 1896, the Law intituled 'Loi relative aux personnes accusées de crime pour la première fois, was duly registered on the Records of the Island of Guernsey: (2) That on the 22nd June, 1929, the Royal Court adopted a Projet de Loi prepared by the Law Officers of the Crown, amending the aforesaid Law and adding provisions for the appointment of a Probation Officer in accordance with those contained in the Probation Act of 1907, and requested the Bailiff to submit the same to the States of Deliberation for their approval; (3) That on the 10th July, 1929, the said Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto; (4) That the said Projet de Loi is intituled 'Loi relative à la Probation de Délinquants,' and is in the words and figures set forth in the Schedule annexed to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey, intituled 'Loi relative à la Probation de Délinquants,' and to order and direct that the same shall have the force of Law within the said Island."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the

said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey. 1929

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI RELATIVE À LA PROBATION DE DÉLINQUANTS.

Attendu qu'il est expédient de faire des règlements semblables aux dispositions des Actes du Parlement relatifs à la Probation de Délinquants ; est et demeure rappelée la Loi relative aux personnes accusées de crime pour la première fois, confirmée par un Ordre de Sa Majesté en Conseil en date du 1er août 1896, et les règlements qui ensuivent rédigés en anglais auront force de loi en cette Ile. Préambule.

1.—(1) Where any person is charged before the Police Court with an offence punishable by such Court and the Court thinks that the charge is proved but is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict Probation of offenders.

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any punishment or any other than a nominal punishment, or that it is expedient to release the offender on probation, the Court may without proceeding to conviction, make an order, either—

(i) dismissing the charge ; or

(ii) discharging the offender conditionally on his taking an oath or finding bail with or without sureties in such sum as the Court shall think fit, to be of good behaviour and to appear for conviction and sentence when called on at any time during such period, not exceeding three years, as may be specified in the order.

(2)—Where any person has been convicted on indictment of any offence punishable with imprisonment, and the Court is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment or any other than a nominal punishment, or that it is expedient to release the offender on probation, the Court may, in lieu of imposing a sentence of imprisonment, make an order discharging the offender conditionally on his taking an oath or finding bail with or without sureties in such sum as the Court shall think fit, to be of good behaviour and to appear for sentence when called on at any time during such period, not exceeding three years, as may be specified in the order.

Damages for injury or compensation for loss.

(3)—The Court may, in addition to any such order, order the offender to pay such damages for injury or compensation for loss (not exceeding in the case of the Police Court ten pounds, or, if a higher limit is fixed by any enactment relating to the offence, that higher limit) and such costs of the proceedings as the Court thinks reasonable, and if the offender is under the age of sixteen years, and it appears to the Court that the parent or guardian of the offender has con-

duced to the commission of the offence, the Court may order payment of such damages and costs by such parent or guardian.

Restoring stolen property.

(4)—Where an order under this article is made by the Police Court, the order shall for the purpose of revesting or restoring stolen property, and of enabling the Court to make orders as to the restitution or delivery of property to the owner and as to the payment of money upon or in connection with such restitution, or delivery, have the like effect as a conviction.

Supervision of offenders.

2.—(1)—In addition to taking an oath or finding bail as provided by the preceding article the Court may order that the offender be under the supervision of such person as may be named in the order during the period specified in the order and may make such conditions for securing such supervision as the Court thinks fit. Such order in this law is referred to as a probation order.

Probation order.

(2)—A probation order may contain such additional conditions with respect to residence, abstention from intoxicating liquor and any other matters as the Court may, having regard to the particular circumstances of the case, consider necessary for preventing a repetition of the same offence or the commission of other offences.

Royal Court shall appoint a Probation Officer.

3.—(1) The Royal Court shall appoint a person or persons of either sex to be probation officers and a probation officer when acting under a probation order shall be subject to the control of the Court which made the order.

Probation Officer's salary or remuneration

(2) A probation officer may be paid such salary or remuneration as the Royal Court may determine, and if not so paid by salary may receive such out of pocket expenses as the Royal Court may from time to time determine.

(3) A person named as a probation officer may at any time be relieved of his duties by the Royal Court and in such case or in the case of the death of

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a probation officer another person may be substituted by the Royal Court.

Duties of Probation Officer.

4.—It shall be the duty of a probation officer, subject to the directions of the Court—

(*a*) to visit or receive reports from the person under supervision at such reasonable intervals as may be specified in the probation order, or subject thereto, as the probation officer may think fit ;

(*b*) to see that he obeys the conditions of the probation order ;

(*c*) to report to the Court as to his behaviour ;

(*d*) to advise, assist, and befriend him, and, when necessary, to endeavour to find him suitable employment.

Variation of Order of the Royal Court.

5.—The Court may—

(*a*) at any time if it appears to it, upon the application of the probation officer, that it is expedient that the terms or conditions of the order should be varied, cause the person in respect of whom the order was made, to appear before it and if he fails to show cause why such variation should not be made, vary the terms of the order by extending or diminishing the duration thereof (so however that it shall not exceed three years from the date of the original order), or by altering the conditions thereof, or by inserting additional conditions ; or

(*b*) on application being made by the probation officer, and on being satisfied that the conduct of the person in respect of whom the order was made has been such as to make it unnecessary that he any longer be under supervision, discharge the order.

Failure of offender to observe order of the Court.

6.—If the Court is satisfied by information on oath that the offender has failed to observe any of the conditions of the order, it may order that he be apprehended or be warned to appear before the Court and the Court on being satisfied that he has failed to

observe any conditions of the order, may without further proof of his guilt, convict and sentence him for the original offence. 1929

7.—The Royal Court is authorised to pass all and such Ordinances for carrying this Law into effect and in particular for prescribing such matters incidental to the appointment, resignation and removal of probation officers, and the performance of their duties and the reports to be made by them, as may appear necessary. Royal Court authorised to pass Ordinances.

(*Enregistré sur les Records le* 23 *novembre* 1929).

AT THE COURT AT BUCKINGHAM PALACE,
The 5th day of November, 1929.
PRESENT,
THE KING'S MOST EXCELLENT MAJESTY,
PRIME MINISTER
LORD PRESIDENT
LORD CHAMBERLAIN
LORD SOUTHBOROUGH
HON. SIR FRANCIS LINDLEY.

WHEREAS the Air Navigation Act, 1920, provided for the making of Orders in Council with respect to the matters therein mentioned and further provided that any Orders so made might be made applicable to any aircraft in or over the British Islands or the territorial waters adjacent thereto and to British aircraft wherever they may be : The Air Navigation (Amendment) (Guernsey) Order, 1929.

AND WHEREAS the said Act has been registered in the Royal Court of Guernsey :

AND WHEREAS, in pursuance of the said Act, His Majesty was pleased to make certain Orders in Council (hereinafter referred to as "the Orders of 1923 and 1925"), applying to the British Islands exclusive of the Channel Islands, namely, the Air Navigation (Consolidation) Order, 1923, and the Air Navigation (Amendment) Order, 1925 :

AND WHEREAS the Orders of 1923 and 1925 were applied, with certain exceptions, modifications

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and adaptations, to Guernsey by the Air Navigation (Guernsey) Order, 1926 (hereinafter referred to as " the Principal Order ") :

AND WHEREAS, in pursuance of the said Act, His Majesty was pleased to amend the Orders of 1923 and 1925, in their application to the British Islands, exclusive of the Channel Islands, by the following Orders (hereinafter referred as to " the amending Orders," namely, the Air Navigation (Amendment) Order, 1928, the Air Navigation (Amendment) (No. 2) Order, 1928, the Air Navigation (Amendment (No. 3) Order, 1928, and the Air Navigation (Amendment) (No. 4) Order, 1928 :

AND WHEREAS it is expedient that the Principal Order shou d be amended likewise by the application of the amending Orders to Guernsey with the necessary exceptions, modifications and adaptations :

NOW, THEREFORE, His Majesty is pleased, by virtue and in exercise of all powers enabling Him in that behalf, and by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :

1.—At the end of paragraph (1) of Article 3 of the Principal Order the following proviso shall be inserted :—

" (*c*) Condition (ii) shall not apply to balloons or kites when being flown within Guernsey and not carrying passengers for hire and reward."

2.—Paragraph (1) of Article 4 of the Principal Order shall be amended :—

(1) By omitting in proviso (*a*) thereto the words from " of those States " to the words " Monaco or " inclusive ;

(2) By inserting at the end of the paragraph the following proviso :—

" (*d*) Condition (iv) shall not apply to balloons or kites when not carrying passengers for hire or reward."

3.—Article 9 of the Principal Order shall be amended :—

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(1) By substituting for pargaraph (3) of that Article the following paragraph :

" (3) A person shall not smoke in any aircraft registered in Great Britain and Northern Ireland unless and except in so far as smoking in that aircraft is permitted by a notice exhibited by the owner of the aircraft in a prominent place therein.

A notice permitting smoking in such aircraft may only be exhibited therein if and in so far as smoking in the aircraft is permitted by the certificate of airworthiness of the aircraft or by the direction of the Secretary of State.

The owner of every aircraft registered in Great Britain and Northern Ireland shall exhibit in a prominent place in the aircraft a notice stating whether and to what extent smoking is prohibited or permitted therein."

(2) By inserting after paragraph (3) of that Article the following paragraph :—

" (4) A person shall not commit any act whether by interference with the pilot or a member of the operative crew or by tampering with the aircraft or its equipment, or by disorderly conduct or by any other means likely to imperil the safety of any aircraft, its passengers, or crew."

4.—For paragraph (2) of Article 12 of the Principal Order the following paragraph shall be substituted :

" (2) Articles dropped in accordance with and subject to any conditions or limitations contained in directions or any special permission in writing given by the Secretary of State."

5.—Paragraph (1) of Article 21 of the Principal Order shall be amended :—

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(1) By omitting the words " at the beginning and end of each communication."

(2) By inserting after the words " Provided that " the following words :—" After communication has been established by means of such call sign the aircraft may employ an abridged call sign consisting—

(*a*) In the case of radio telegraphy of the first and last letters of the complete call sign of five letters ;

(*b*) In the case of radio telephony, of the whole or part of the name of the owner of the aircraft followed by the last two letters of the complete call sign of five letters.

Provided also that."

6.—In paragrpah (1) of Article 27 of the Principal Order, the words " suspended, varied or " shall be substituted for the words " suspended or."

7.—Article 30 of the Principal Order shall be amended :—

" ' Balloon,' means an aircraft, either fixed or free, using gas lighter than air as the means of support, and having no means of propulsion ; "

(2) By omitting in the definition of " Contracting State " the words from ' and this Order " to the end of the definition.

(3) By inserting in paragraph (2) after the words " In this Order," the following words :—

" References to His Majesty's dominions shall be construed as though territories under His Majesty's protection, and territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, formed part of His Majesty's dominions ; and "

(4) By inserting at the end of paragraph (2) the following proviso :—

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" Provided that for the purpose of determining whether a pilot is required to hold a licence to fly aircraft carrying passengers or goods for hire or reward, a member of an aeroplane club carried in an aircraft belonging to the club for the purposes of instruction or otherwise shall not, if the pilot is also a member of the same club, be deemed to be a passenger carried for hire or reward, notwithstanding that payment is made in respect of such instruction or carriage."

8.—The following amendments shall be made in Schedule II to the Principal Order :—

(1) In the sketch plan of lights on the aircraft, for the words " through line of flight " there shall be substituted the words " of symmetry " ;

(2) For pargaraph 1 shall be substituted the following paragraph :—

" 1.—The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights shall be exhibited which may be mistaken for the navigation lights hereinafter prescribed. The latter shall not be dazzling."

(3) For paragraph 2, the following paragraph shall be substituted :—

" 2.—(*a*) A flying machine, when in the air or manœuvring on land under its own power shall carry the following lights :

(i) On the right side, a green light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the right from dead ahead, and visible at a distance of at least 5 miles.

(ii) On the left side, a red light so constructed as to show an unbroken light between two vertical planes whose

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dihedral angle is 110 degrees when measured to the left from dead ahead, and visible at a distance of at least 5 miles.

(iii) The said green and red lights shall be fitted so that the green lights shall not be seen from the left side, nor the red light from the right side.

(iv) At the rear, and as far aft as possible, a white light shining rearwards and visible in a dihedral angle of 140 degrees bisected by the vertical plane of symmetry of the aircraft, and visible at a distance of at least 3 miles.

(*b*) A flying machine when manœuvring on water under its own power shall, in addition, carry the following light :

Forward, a white light visible in a dihedral angle of 220 degrees bisected by the vertical place of symmetry of the aircraft, and visible at a distance of at least 5 miles :

(*c*) In the case where, in order to fulfil the above conditions, a single light has to be replaced by several lights, the field of visibility of each of these lights should be so limited that only one can be seen at a time."

(4) For paragraph 3, the following paragraph shall be substituted :—

" 3.—An airship, when in the air or manœuvring on land or water under its own power, shall carry the following lights :—

(i) Forward, two white lights in a vertical line one above the other and not less than 6 feet apart, both visible at the same time in a dihedral angle of 220 degrees bisected by the vertical plane of symmetry of the aircraft, and visible at a distance of at least 5 miles.

(ii) On the right side, two green lights placed horizontally in a fore and aft direction not less than 6 feet apart, so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the right from dead ahead, and visible at a distance of at least 5 miles. 1929

(iii) On the left side two red lights placed horizontally in a fore and aft direction not less than 6 feet apart, so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the left from dead ahead, and visible at a distance of at least 5 miles.

(iv) The said green and red lights shall be fitted so that the green lights shall not be seen from the left side, nor the red lights from the right side.

(v) At the rear and as far aft as possible, two white lights in a vertical line one above the other and not less than 6 feet apart, shining rearwards, visible in a dihedral angle of 140 degrees bisected by the vertical plane of symmetry of the aircraft, and visible at a distance of at least 3 miles."

(5) In paragraph 7, for the word " car " there shall be substituted the word " basket ".

(6) Paragraph 8 shall be amended :—

(i) By substituting the words " 12 feet " for the words " 6 feet ", where these words firstly occur ; and

(ii) by substituting for the words " carry in the same position of the groups of lights aforesaid, and in lieu thereof " the words

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"have attached to it, at intervals of not more than 300 feet measured from the basket ".

(7) Paragraph 9 shall be amended :—

(i) by substituting for the first sentence thereof, the following words :—

" An airship when moored near the ground shall carry the forward and aft lights specified in paragraph 3 of this Schedule ".

(ii) By substituting for the words " at sea " the words " on the water ".

(8) For paragraph 14, the following paragraph shall be substituted :—

" 14.—(*a*) An aircraft wishing to land at night, without being compelled to do so, on an aerodrome having a ground control shall before landing make intermittent signals either with a lamp or a projector other than the navigation lights or with any sound apparatus. In addition, it shall make by international Morse code, by means of sound or luminous signals, the two-letter group constituted by its nationality letter, and the last letter of its registration mark.

(*b*) Permission to land will be given by the same two-letter sign from the ground, made with a green light and followed by intermittent signals of the same colour."

(9) For paragraph 16, the following paragraph shall be substituted :—

" 16.—An aircraft compelled to land at night shall before landing make with its navigation lights a series of short and intermittent flashes ".

(10) Paragraph 17 shall be amended as follows :—

(i) By inserting the following sub-paragraph after sub-paragraph (*a*) :—

" (*aa*) The international distress call

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' MAY-DAY " (corresponding to the French pronunciation of the expression ' m'aider ') by means of radio telephony " :

(ii) by inserting at the end of the paragraph the following two sub-paragraphs :—

" When an aircraft desires to signal that it is in difficulties, or about to land compulsorily, or has momentarily interrupted its flight, but does not consider it necessary to ask for immediate assistance by using the signal S O S, it shall use the international urgent signal P A N by means of radio telegraphy or radio telephony

Where radio telegraphy is used the three letters must be well separated so that the signals ' A N ' may not be transformed into one signal ' P '. The urgent signal may be transmitted only with the authorisation of the commander or person responsible for the aircraft ".

(11) In paragraphs 18 and 19 the word " each " shall be inserted before the word " showing ", wherever that word occurs.

(12) For paragraph 21 the following paragraph shall be substituted :—

" 21.—Subject to the provisions of paragraph 43 of this Schedule, flying machines shall always give way to balloons, fixed or free, and to airships, and airships shall always give way to balloons, whether fixed or free ".

(13) For paragraph 31 the following paragraph shall be substituted :—

" 31.—In order to obviate the increased risk of collision which exists on air traffic routes, the following rules shall, so far as it is safe and practicable, be observed when flying on or in the vicinity of such routes :

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(*a*) Every aircraft when flying by compass along the straight line (rhumb line) joining two points on an air traffic route in common use, shall keep such line at least 500 yards on its left.

(*b*) Every aircraft following an air traffic route, which has been officially recognised, shall keep such route at least 300 yards on its left.

(*c*) Every aircraft which, in the vicinity of a route frequented by aircraft, is following a line of land marks such as a road, railway, river, canal or coastline, &c., shall keep such line of landmarks at least 300 yards on its left.

(*d*) An aircraft shall not fly keeping any of the lines or routes above referred to on its right, except at a distance therefrom sufficient to avoid aircraft following such lines or routes in accordance with these rules.

(*e*) When crossing one of these lines or routes above referred to, an aircraft shall cross it at right angles as rapidly as possible and as high as reasonably practicable.

(*f*) In the case of flights in group formation the aircraft of the leader of the group shall be responsible for leading the flight in such a manner that every aircraft in the group can comply with the above rules of this paragraph ".

(14) At the end of paragraph 33, there shall be inserted the following sub-paragraph :—

" Every aircraft when flying beneath clouds shall always do so, so far as it is safe and practicable, at such a distance below the clouds as will enable it readily to see and be seen ".

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(15) At the end of the italic heading of Section V there shall be inserted the words " open to public use ".

(16) In paragraph 39, the words " of contracting states used for international aerial traffic " shall be omitted.

(17) Paragraph 40 shall be amended :—

(i) By substituting for the words " landing tee " the words " landing T " ;

(ii) by inserting the following words at the end of the paragraph :—

" In the event of there being no wind, a ball, easily visible, shall be hoisted on a mast, and if there is a landing T, it shall be fixed ".

(18) Paragraph 41 shall be amended :—

(i) By omitting the words " used for international air traffic " ;

(ii) by substituting for the word " permit " the following words :

" permit, or in the event of there being no wind. In the latter case, every flying machine, when taking off or landing shall do so in the direction indicated by the appropriate signal, or, if there is a landing T, in the direction indicated by that T ".

(19) For paragraph 43, the following paragraph shall be substituted :—

" 43.—Aircraft about to land on an aerodrome shall be given free way ".

(20) For paragraph 44, the following paragraphs shall be substituted :—

" 44.—(1) At every aerodrome, along the perimeter and at the approaches to the hangars, a neutral zone shall be set apart for flying machines manœuvring on the ground.

(2) The part reserved for departures and landings shall be as large as possible.

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(3) Every flying machine when landing or taking off, shall do so in conformity with the provisions of paragraph 41 of this Schedule, and shall leave clear on its left any flying machine which has already landed or which is at rest on the ground.

(4) Every flying machine when running along the ground in the zone reserved for departures and landings shall do so in the direction of landing :

Provided that, on aerodromes approved by the Secretary of State for the purpose, flying machines running along the ground may be authorised to cross the part reserved for departures and landings subject to regulations approved by the Secretary of State.

" 44A.—(1) By way of exception to the general rule laid down in sub-paragraph (3) of paragraph 44 of this Schedule, at aerodromes to which this paragraph applies, the part reserved for departures and landings may be regarded as divided into two approximately equal zones, by a vertical plane bearing in the direction of landing described in paragraph 41 of this Schedule. For an observer facing in the direction of landing, the zone on the right shall be reserved for landings, and the zone on the left for departures.

(2) The aerodromes to which this paragraph applies shall be indicated by a full white star of five points, placed flat on the ground in the centre of the part of the ground reserved for departures and landing. The lines joining the points of the star shall form a regular pentagon of such a size that it may be inscribed in a circle the diameter of which is not less than 15 yards.

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(3) At aerodromes to which this paragraph applies, a flying machine when landing shall do so in conformity with paragraph 41 of this Schedule, in the left part of the zone reserved for that purpose, but leaving clear on its left any other flying machine which has already landed, and a flying machine when taking off shall do so in conformity with paragraph 41 of this Schedule, in the left part of the zone reserved for that purpose, but leaving clear on its left any other flying machines which are at rest on the ground.

"44B At every aerodrome while night landings thereat are expected, the following requirements shall be complied with :—

(1) The aerodrome shall be defined as accurately as possible by red lights placed on the perimeter and on any obstacles on the aerodrome ;

(2) The direction of landing shall as far as possible be indicated by a luminous T, or failing this by three white lights forming an isosceles triangle, the base of which shall be about 200 yards long, and the height of which shall be at least twice as long as the base ;

(3) The white lights aforesaid shall be so placed that a flying machine will land in the direction leading from the middle of the base line to the apex of the triangle ;

(4) The base line shall indicate the place where a flying machine should come into contact with the ground, and the apex shall indicate the point before reaching which it should come to rest ".

(21) For paragraphs 46, there shall be substituted the following paragraphs :—

" 46.—Suitable signals shall be placed on

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all obstacles on aerodromes, and also as far as possible on fixed obstacles dangerous to flying within a zone of 500 yards of all aerodromes.

"46A.—The Secretary of State or the Royal Court may by directions temporarily suspend the application of all or any of the rules contained in this Section with reference to any aerodrome in Guernsey which is open to public use. At any aerodrome as respects which all or any of the rules contained in this Section are for the time so suspended as aforesaid, a red square panel, each side of which is at least three yards in length, shall be placed horizontally near to the signal in that aerodrome which indicates the direction of the wind ".

(22) In paragraph 47, the word "only" shall be inserted before the word "carry ".

9.—This Order may be cited as the Air Navigation (Amendment) (Guernsey) Order, 1929.

M. P. A. HANKEY.

(*Enregistré sur les Records le 20 janvier* 1930.)

AT THE COURT AT BUCKINGHAM PALACE

The 17th day of December, 1929.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT
LORD COLEBROOKE
MR. BUXTON
MR. AITCHISON
LORD JUSTICE ROMER
SIR JOHN ASTBURY.

Loi portant amendement à la "Loi sur l'Education Elémentaire et l'Instruction Obligatoire" (Auregny).

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 20th day of November, 1929, in the words following, viz. :—

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" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esq., Judge and President of the States of the Island of Alderney, setting forth :—' That Your Majesty was graciously pleased by Your Majesty's Order in Council dated the 12th day of August, 1924, to ratify the Projet de Loi intituled " Projet de Loi sur l'Education Elémentaire et l'Instruction Obligatoire " and to order that the said Projet de Loi shall have force of law in Your Majesty's said Island of Alderney. That the said law came into operation on the 1st day of January, 1925. That the States Education Committee established by virtue of the said Law in a petition submitted to the States on the 30th day of May, 1928, prayed that certain amendments be made to Articles XIV and XVIII of the said Law, in order to give the Committee power to deal with circumstances which are not provided for in the said Law. That the States were pleased to receive the said Petition and requested the Court to prepare a draft Projet de Loi to be submitted for their consideration. That at a meeting of the States of Alderney holden before the Petitioner on the 27th day of May, 1929, the States considered the Projet de Loi intituled " Projet de Loi portant amendment à la Loi sur l'Education Elémentaire et l'Instruction Obligatoire " (a copy whereof is hereunto annexed) and approved thereof, and authorised the Petitioner to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the said Projet de Loi Your Royal Sanction. And humbly praying that Your Majesty would be graciously pleased to grant thereunto Your Royal Sanction and order that the same shall have force of law in Your Majesty's said Island of Alderney."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference,

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have taken the said Petition and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

PROJET DE LOI PORTANT AMENDEMENT À LA LOI SUR L'ÉDUCATION ÉLEMENTAIRE ET L'INSTRUCTION OBLIGATOIRE.

ARTICLE XIV.

Sera ajoutée au dit Article la clause suivante :—

(*a*) Dans les cas où les représentations soient faites à la Cour siégeant en Corps par le Comité d'Instruc-

tion Publique Primaire que l'instruction donnée dans un établissement d'éducation quelconque n'est pas égale à celle donnée dans une école publique primaire, ou que les prémisses sont dans un état malsain la Cour, sur preuve de telles allégations, pourra ordonner que tel établissement sera fermé et qu'aucune instruction n'y sera donnée. 1930

ARTICLE XVIII.

Sera ajoutée au dit Article la clause suivante :.— Tout parent qui

(*a*) aura envoyé son enfant à l'école dans un état malpropre soit à l'égard à sa personne ou de ses habillements, ou dans un état quelconque qui empêchera tel enfant de s'associer librement avec les autres écoliers,

(*b*) aura retiré son enfant de l'école sans cause raisonnable et suffisante,

sera censé de n'avoir envoyé tel enfant à l'école, et sera passible en conséquence des peines imposées par cet article.

(*Enregistré sur les Records le* 20 *janvier* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 17th day of December, 1929.

PRESENT.

THE KING'S MOST EXECLLENT MAJESTY
LORD PRESIDENT
LORD COLEBROOKE
MR. BUXTON
MR. AITCHISON
LORD JUSTICE ROMER
SIR JOHN ASTBURY.

Loi supplémentaire à la Loi relative aux Egouts Paroissiaux.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 27th day of November, 1929, in the words following, viz :—

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" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth : (1) That by an Order of Your Majesty in Council of the 7th day of May, 1928, registered on the Records of this Island on the 26th day of May, 1928, Your Majesty was graciously pleased to grant Your Royal Sanction to a Bill or Projet de Loi intituled " Loi Supplémentaire à la Loi relative aux Egouts Paroissiaux (1928) " : (2) That on the 2nd day of August, 1929, the States of Deliberation, on the recommendation of their Board of Administration, passed a resolution approving a modification of the said Law and requesting the Royal Court to prepare a Bill or Projet de Loi to give effect thereto ; (3) That on the 26th day of October, 1929, the Royal Court, in accordance with the aforesaid resolution of the States, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown intituled " Loi supplémentaire à la Loi relative aux Egouts Paroissiaux " and requested the Bailiff to submit the same to the States for their approval : (4) That on the 13th day of November, 1929, the said Bill was duly considered by the States, when a resolution was passed approving the same with slight modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : (5) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed : And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled " Loi Supplémentaire à la Loi relative aux Egouts Paroissiaux," and to order and direct that the same shall have the force of Law within the Island of Guernsey.

" THE LORDS OF THE COMMITTEE, in

obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi." 1930

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI RELATIVE AUX ÉGOUTS PAROISSIAUX.

Vu la délibération des Etats en date du 2 août 1929 :

Sont et demeurent rappelés les articles VI et VII de la Loi supplémentaire à la Loi relative aux Egouts Paroissiaux (1928) sanctionnée par Ordre de Sa Majesté en Conseil en date du 7 mai 1928 en- Articles rappelés et substitués.

1930 registré sur les Records de cette Ile le 26 mai 1928, et y sont substitués les articles suivants, lesquels seront censés former partie de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

ARTICLE VI.

(1) Une contribution foncière qui n'excédera pas trois pennis par livre sterling sera levée par les Connétables et Douzeniers de la paroisse pour les habitants de laquelle les dits travaux doivent être ou auront été entrepris, sur les héritages situés en la dite paroisse suivant leur valeur locative d'après le Cadastre, durant le mois de mars de chaque année, pour tout et aussi longtemps que les contributions seront requises pour défrayer la partie des dépenses encourues par le Conseil, avec intérêt comme est ci-après mentionné, et payables de la manière indiquée dans l'article V de la dite loi du 5 mai 1922. Et sera le produit net des dites contributions foncières versé par les Connétables entre les mains du Président du Conseil d'an en an, à compte de la portion qui doit être payée au moyen des dites contributions avec intérêt à raison de trois pour cent par an calculé depuis le commencement des travaux.

(2) Les Connétables, pour les contributions spécifiées en l'article VI., et les Etats, pour les contributions spécifiées en l'article VII. de cette loi, auront respectivement hypothèque légale sur tout héritage sur lequel une contribution est payable et ce à compter de la date de la demande en paiement, sauf au propriétaire actuel le droit de recours contre tout propriétaire antérieur pour tout paiement de contribution qu'il aura fait dont tel propriétaire antérieur était redevable.

ARTICLE VII.

(1) Tout propriétaire de maison d'habitation et

dépendances, édifice ou chantier mis en communication avec un égout public, que les dites maisons et dépendances, édifices ou chantiers existent lors de la confection ou soient construits après la confection de l'égout, paiera aux Etats de cette Ile le tiers de la valeur locative annuelle, une fois payée, des dites maisons et dépendances, édifices ou chantiers, pour couvrir la portion des dépenses à laquelle les propriétaires sont assujettis quant aux nouveaux égouts aux fins de l'article V de la dite loi de 1922 ; aussi dans le cas où telle maison d'habitation et dépendances, ou tel édifice ou chantier est agrandi ou amélioré et que par suite de tel agrandissement ou amélioration sa valeur locative est augmentée dans le Cadastre, le propriétaire paiera aux Etats de cette Ile le tiers de la différence une fois payée entre le montant de la valeur locative avant telle augmentation et celui de la valeur locative augmentée. 1930

(2) Les demandes pour paiement des contributions aux fins de cet article seront faites par les Etats comme suit :—

(i) Quant aux maisons, édifices ou chantiers existants, dès qu'ils auront été mis en communication avec l'égout.

(ii) Quant aux maisons, édifices ou chantiers nouvellement construits et dans tous cas où une addition ou changement a été effectué à une maison, édifice ou chantier, immédiatement après l'exposition du Cadastre contenant la valeur locative ou l'augmentation de la valeur locative de la dite maison, édifice ou chantier, selon le cas.

(3) Seront considérées dépendances d'une maison d'habitation tous bâtiments employés au service domestique, ainsi que le terrain formant l'enclos jusqu'à et n'excédant pas une vergée.

(4) Sont exceptés de contribution toutes serres ainsi que les terrains, à l'exception du terrain considéré comme dépendance d'une maison d'habitation aux fins de l'alinéa précédent.

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(Enregistré sur les Records le 20 janvier 1930.)

Taxe d'un chelin sur passagers débarquant à Sercq.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 17 décembre 1929, autorisant les Chefs-Plaids de l'Ile de Sercq à lever pendant 1930 une taxe d'un chelin sur tous passagers (autres que les habitants de la dite Ile) atterrissant à Sercq—La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile et qu'un extrait des Registres de ce présent Acte sera envoyé à Monsieur le Sénéchal de Sercq avec un exemplaire du dit Ordre en Conseil.

(Enregistré sur les Records le 20 janvier 1930.)

AT THE COURT AT BUCKINGHAM PALACE.

The 17th day of December, 1929.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT
LORD COLEBROOKE
MR. BUXTON
MR. AITCHISON
LORD JUSTICE ROMER
SIR JOHN ASTBURY

Loi relative à la portion disponible des biens meubles des Pères et des Mères.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 5th day of December, 1929, in the words following, viz. :—

" YOUR MAJESTY, having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, dated the 21st day of November, 1929, in the words following, viz. :—(1) That the law intituled ' Loi relative à la portion disponible des biens meubles des pères et mères,' sanctioned by Order of Her late Majesty in

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Council, registered on the Records of this Island on the 26th day of October, 1872, fixes amongst other things the portion to which a widow is entitled in her deceased husband's movable estate : (2) That the law intituled ' The Married Women's Property Law, 1928,' sanctioned by Order of Your Majesty in Council registered on the Records of this Island on the 8th day of September, 1928, removed the disabilities which previously existed affecting married women in this island with regard to the holding of immovable and movable property : (3) That prior to the passing of the Married Women's Property Law the movable property of a woman in the absence of an ante-nuptial settlement to the contrary became on her marriage the absolute property of the husband : (4) That the Married Women's Property Law having dispossessed a husband of all rights of proprietorship and control over his wife's movable property, the States at a meeting held on the 2nd day of August, 1929, adopted a resolution praying the Royal Court to prepare a Bill or Projet de Loi to provide that a husband should have equivalent rights of succession in his deceased's wife's movable estate to those possessed by the wife in virtue of the provisions of the above recited law of 1872 in the similar estate of her deceased husband : (5) That on the 7th day of September, 1929, the Royal Court in order to give effect to the above resolution of the States adopted a Bill or Projet de Loi intituled ' Loi relative à la portion disponible des biens meubles des pères et mères, 1929,' incorporating also in it the provisions of the above recited law of 1872 and requested the Bailiff to submit the same to the States for their approval : (6) That at a meeting of the States held on the 10th day of November, 1929, the said Bill or Projet de Loi was duly considered, when a resolution was passed approving the same with slight modifications and authorizing the Pres dent to present a most humble Petition to Your Majesty in Council praying

1930 for Your Royal Sanction thereto : (7) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the Petition : And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi relative à la portion disponible des biens meubles des pères et mères, 1929,' and to order and direct that the same shall have the force of law within the Island of Guernsey.

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1930

LOI RELATIVE À LA PORTION DISPONIBLE DES BIENS MEUBLES DES PÈRES ET MÈRES.

1.—Tout individu capable de tester a la libre disposition de sa propriété mobilière à l'exception de ce qui est compris dans la légitime de ses enfants et le droit de son conjoint. Disposition de propriété mobilière.

2.—La légitime des enfants dans la succession mobilière de leur parent (père on mère) est comme suit :— Légitime des enfants.

Si tel parent laisse conjoint survivant, le tiers, qui sera pris après que le conjoint survivant aura fait le prélèvement de son tiers.

S'il n'en laisse point, la moitié.

3.—Le droit du conjoint survivant sur la succession mobilière de son conjoint décédé est comme suit :— Droit du conjoint.

Si le conjoint décédé laisse des enfants, le tiers ;

S'il n'en laisse point, la moitié.

4.—S'il y a eu renonciation en tout ou en partie avant ou pendant le mariage soit par le mari soit par la femme, à son droit futur sur la succession mobilière de son conjoint, la portion de la succession comprise dans la renonciation sera un accroissement à la portion disponible dans la succession de tel conjoint. Cas où il y a eu renonciation.

5.—Sont compris dans les articles précédents sous le nom d'enfants, les descendants en quelque degré que ce soit néanmoins ils ne sont comptés que pour l'enfant qu'ils représentent dans la succession. Définition d'enfants.

6.—Est et demeure rappelée la "Loi relative à la portion disponible des biens meubles des pères et mères," ratifiée par Ordre de Sa Majesté en Conseil, enregistré sur les records de cette Ile le 26 Octobre 1872. Loi rappelée.

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(*Enregistré sur les Records le 1er février 1930.*)

"Savings Bank Act."

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 20 janvier 1930, transmettant des exemplaires de l'Acte de Parlement suivant, savoir :—

19 and 20 George V, Chap. 27, "The Savings Bank Act, 1929."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi a ordonné :—

1. Que le dit Ordre en Conseil sera enregistré sur les Records de cette île.
2. Qu'un des exemplaires du dit Acte de Parlement sera enregistré sur les Records de cette Ile par être logé au Greffe.
3. Qu'un extrait des registres contenant ce présent acte avec un exemplaire du dit Acte de Parlement sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le 24 février 1930.*)

AT THE COURT AT BUCKINGHAM PALACE,
The 20th day of January, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
LORD PRESIDENT
LORD STEWARD
VISCOUNT CECIL OF CHELWOOD
SIR CHARLES TREVELYAN.

Bail à rente de 3 vergées de terre de la Cure de St. André à la paroisse et aux Etats pour une cour de Récréation à l'Ecole paroissiale.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 10th day of January, 1930, in the words following, viz :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of Kenneth Chichester Macartney, Clerk in

Holy Orders, Rector of the Parish of Saint Andrew, in the Island of Guernsey, and of William Henry Guilbert and Peter Martel, junior, Churchwardens of the said Parish, setting forth :—That Your Majesty is the Patron of the living of the said Parish of Saint Andrew in the Diocese of Winchester : that comprised in the Glebe belonging to the said Parish there are two fields called ' La Jaonière des Fugréaulx ' and ' Le Pré de la Cure ' respectively which adjoin the playground of the Parochial School : that the said playground being too small for the requirements of the said School your Petitioners were asked whether three vergées of land in the Eastern part of the said fields could be acquired by the appropriate Authorities with a view to its being added to and incorporated in the said playground : that a meeting of the Ratepayers of the said Parish, having been duly convened by your Petitioners, was held at the said Parochial School on December the seventh One thousand nine hundred and twenty-six when it was resolved to sell the said portion of the said field for a price which should not be less than Three Hundred and Fifty Pounds sterling and appointed your Petitioners and Messieurs Percy Lionel Foster and Aylmer Mackworth Drake as their Committee to negotiate as to the price and conditions of sale : that at a meeting of the Ratepayers of the said Parish held on the twenty-sixth day of July One thousand nine hundred and twenty nine the abovenamed Committee reported that subject to obtaining the requisite legal sanction they recommended the sale of the said portion of the said fields to the said appropriate Authorities for the sum of Eighteen quarters of annual wheat rente payable at the rate of One Pound sterling per quarter on condition that the said Authorities shall construct at their expense a hedge or bank of earth at least three feet in height to separate the land so sold from the remainder of the said field : that the Ratepayers unanimously

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1930 accepted the said Report and subject to obtaining the requisite legal sanction authorised your Petitioners to sell the said portion of the said fields for the price and on the conditions aforesaid : that on the seventeenth day of August One thousand nine hundred and twenty-nine your Petitioners obtained a Licence and faculty from the Commissary of the said Island of Guernsey sanctioning the said sale subject to the consent of the Crown being obtained. And most humbly praying that Your Majesty would be graciously pleased to grant to the said Rector and Churchwardens Your Royal Sanction and Authority to convey in perpetuity three vergées of land in the Eastern part of the fields called ' La Jaonière des Fugréaulx ' and ' Le Pré de la Cure ' respectively to the States of the said Island and to the said Parish in equal shares—the said States and Parish being the joint owners of the said Parochial School —in order that the same may be added to the School playground for the price and sum of Eighteen quarters of wheat rente payable annually at the rate of One pound sterling per quarter to the Cure of the said Parish, on condition that the Purchasers shall, at their expense, construct a hedge or bank of earth at least three feet in height to separate the land so sold from the remainder of the said fields."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY having taken the said Report into consideration, and as Patron of the Benefice of St. Andrew, Guernsey, assenting thereto, is pleased, by and with the advice of His Privy Council, to approve thereof, and doth hereby authorise, empower and permit the said Rector and Churchwardens to convey

in perpetuity three vergées of land in the Eastern part of the fields called "La Jaonière des Fugréaulx" and "Le Pré de la Cure" respectively to the States of the said Island and to the said Parish in equal shares, in order that the same may be added to the playground of the said Parochial School, for the price and sum of Eighteen quarters of wheat rente payable annually at the rate of One Pound sterling per quarter to the Cure of the said Parish, on condition that the Purchasers shall at their expense construct a hedge or bank of earth at least three feet in height to separate the land so sold from the remainder of the said fields. 1930

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

(Enregistré sur les Records le 8 février 1930.)

Monsieur le Baillif ayant ce jour communiqué à la Cour un exemplaire imprimé d'Ordres de Sa Majesté en Conseil intitulés :—

1. Patents, Designs and Trade Marks (Trinidad and Tobago) Order, 1919.
2. Patents, Designs and Trade Marks (Canada) Order, 1928.
3. Patents, Designs and Trade Marks (Irish Free State) Order, 1927.
4. The Hague Industrial Property Convention Order, 1928.

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5. The Industrial Property Convention (Serb-Croat-Slovene Kingdom) Orders, 1928.
6. The Industrial Property Convention (Switzerland) Order, 1929.
7. The Industrial Property Convention (Brazil) Order, 1929.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que les dits Ordres seront logés au Greffe.

(*Enregistré sur les Records le* 15 *mars* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of February, 1930.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT — VISCOUNT GOSCHEN
LORD CHAMBERLAIN — LORD THOMPSON
MR. SECRETARY ADAMSON.

Loi relative aux Exécuteurs Testamentaires et aux Administrateurs des Successions de personnes décédées (1930).

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of February, 1930, in the words following, viz. :—

"YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 14th day of December, 1929, adopted a Bill or Projet de Loi prepared by the Law Officers of the Crown, intituled 'Loi relative aux Exécuteurs Testamentaires et aux Administrateurs des Successions de personnes décédées (1930),' and requested the Bailiff to submit the same to the States of Deliberation for approval. (2) That on the 7th day of February, 1930, the said Bill or Projet de Loi was duly considered by the States, when a resolution

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was passed approving the same with slight modifications and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi relative aux Exécuteurs Testamentaires et aux Administrateurs des Successions de personnes décédées (1930),' and to order and direct that the same shall have the force of Law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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LOI RELATIVE AUX EXÉCUTEURS TESTAMENTAIRES ET AUX ADMINISTRATEURS DES SUCCESSIONS DE PERSONNES DÉCÉDÉES (1930).

Attendu qu'il convient de résoudre certains doutes quant aux droits des Exécuteurs Testamentaires et des Administrateurs des successions de personnes décédées et de porter amendement aux lois et coutumes de cette Ile touchant les obligations auxquelles tels Exécuteurs et Administrateurs sont soumis, les dispositions suivantes auront force de loi en cette Ile :—

Droit d'un exécuteur ou administrateur d'un testament.

1.—L'Exécuteur du testament d'une personne décédée et l'administrateur de la succession avec ou sans testament d'une personne décédée respectivement n'aura aucun droit à titre d'exécuteur ou d'administrateur de faire appropriation à son profit personnel des biens de la succession de telle personne décédée ni des fruits, profits ou revenus d'icelle, mais aura droit seulement aux bénéfices et avantages dont il pourra être légataire par disposition testamentaire en sa faveur.

Ses devoirs.

2.—Un exécuteur et un administrateur respectivement sera tenu de payer et satisfaire aux dettes, obligations, contrats, torts et legs grévant la succession dont il s'agit jusqu'à concurrence de la valeur et l'étendue des biens de la succession qui viendront entre ses mains ou à sa disposition, mais si tels biens n'y suffisent pas il ne sera pas tenu d'y combler l'insuffisance à moins qu'il ne s'y est personnellement obligé expressément.

Demande poursuivie contre un exécuteur.

Pourvu que lors qu'une demande contre un exécuteur ou un administrateur est poursuivie devant la Cour et qu'il est trouvé par la Cour que tel exécuteur ou administrateur a fait défaut ou a commis négligence dans le recouvrement, recueillement, conservation, disposition ou allocation des biens de la succession, ou autrement à l'égard de ses devoirs et obligations en sa qualité d'exécuteur

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ou administrateur ou qu'il a dissipé ou laissé dépérir tels biens, la Cour pourra rendre jugement exécutoire contre lui personnellement pour l'entier ou pour telle partie de telle demande ainsi qu'il paraîtra être juste. Néanmoins lorsque par suite d'erreur ou omission sa responsabilité personnelle serait engagée en vertu des dispositions de cet article, s'il parait à la Cour qu'il a agi honnêtement et raisonnablement et doit en être excusé la Cour pourra l'excuser en tout ou en partie de telle responsabilité.

3.—Dans le cas qu'une personne ayant une réclamation contre la succession d'une personne décédée aura poursuivi sa demande contre l'exécuteur ou l'administrateur du défunt devant la Cour outre ses pouvoirs ordinaires aura pouvoir à sa discrétion de faire tout ordre ou règlement ordonnant le sursis des procédures, la suspension d'exécution d'un acte ou jugement, la fourniture de caution ou le dépôt d'argents ou valeurs par l'exécuteur ou l'administrateur ou autrement ainsi que la Cour trouvera juste.

Application et date de mise en force de cette loi.

4.—Cette loi s'appliquera à l'exécution et à l'administration d'une succession qui sera commencée après la mise en force de cette loi.

5.—Cette loi viendra en force le jour de l'enregistrement sur les Records de cette Ile de l'Ordre de Sa Majesté en Conseil la sanctionnant.

ORDRES EN CONSEIL.

(Enregistré sur les Records le 16 avril 1930.)

AT THE COURT AT BUCKINGHAM PALACE

The 28th day of March, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD CHAMBERLAIN — LORD MACMILLAN
LORD PRESIDENT — MR. ROBERTS
MR. JAMES BROWN.

Loi relative à la portion disponible des Biens Meubles des Pères et Mères. Auregny.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 25th day of March, 1930, in the words following, viz :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney setting forth :— That on the 15th day of October, 1872, Her late Majesty Queen Victoria, by Her Majesty's Order in Council ratified a Projet de Loi, intituled ' Loi relative à la Portion disponible des Biens Meubles des Pères et Mères,' to have force of Law in the Bailiwick of Guernsey. That the said Law was registered on the Records of the Island of Alderney on the 2nd day of November, 1872, and has been in operation in this said Island from the date of registration. That the States of Guernsey in order to meet certain changes made in their laws relating to personal estate, were of opinion to abrogate the said law. That it is essential that the provisions of the said Law remain in force in Your Majesty's said Island of Alderney. That at a Meeting of the States holden before your Petitioner on the 19th December, 1929, the States took into consideration a Projet de Loi intituled ' Loi

1930 relative à la Portion disponible des Biens Meubles des Pères et Mères,' and were of opinion to approve of the same, and to authorize Your Petitioner to present in the name of the States a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant the same Your Royal Sanction. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the said Projet de Loi (a copy whereof is hereunto annexed), and to order the same to have force of Law in Your Majesty's said Island of Alderney."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

ALDERNEY. 1930

TRANSLATION OF "LAW RELATING TO THE DISPOSABLE PORTION OF MOVABLE PROPERTY OF FATHERS AND MOTHERS," APPROVED BY HIS MAJESTY IN COUNTIL THE 28TH MARCH, 1930.

ARTICLE I.

Any person who is able to make a will can freely dispose of his personal estate, with the exception of the portion which constitutes the right of his children and his wife's right.

ARTICLE II.

The right of the children to the succession of a father's estate is as under :—

If he leaves a widow, one-third.

If he leave no widow, one-half.

ARTICLE III.

The right of the children to the succession of a mother's personal estate, provided she has a right to will it or is a widow, is one-half.

ARTICLE IV.

The right of the wife to the succession of a husband's personal estate is as under :—

If he leaves children, one-third.

If he leaves no children, one-half.

ARTICLE V.

In the event of a wife having by marriage settlement renounced, wholly or in part, to the right of succession in her husband's personal estate, the amount to which she may thus have renounced shall go to increase the portion a husband can dispose of.

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ARTICLE VI.

By the term children as described in the foregoing articles, is understood the descendants of a person in whatsoever degree ; notwithstanding which such descendants shall only be considered in respect of the child they may represent in the succession.

"PROJET DE LOI" referred to in the foregoing Order in Council.

PROJET DE LOI RELATIVE À LA PORTION DISPONIBLE DES BIENS MEUBLES DES PÈRES ET MÈRES.

ARTICLE I.

Tout individu capable de tester a la libre disposition de sa propriété mobilière à l'exception de ce qui est compris dans la légitime de ses enfants et le droit de son épouse.

ARTICLE II.

S'il laisse une veuve, le tiers.
S'ils n'en laisse point, la moitié.

ARTICLE III.

La légitime des enfants dans la succession mobilière de leur mère ayant pouvoir de tester ou étant veuve est la moitié.

ARTICLE IV.

Si le mari laisse des enfants, le tiers.
S'il n'en laisse point, la moitié.

ARTICLE V.

Si par contrat de mariage la femme a renoncé, en

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tout ou en partie, à son droit sur la succession mobilière de son mari, le montant de ce qui est compris dans la renonciation sera un accroissement à la portion disponible du mari.

ARTICLE VI.

Sont compris dans les articles ci-dessus sous le nom d'enfants, les descendants, en quelque degré que ce soit : néanmoins ils ne sont comptés que pour l'enfant qu'ils représentent dans la succession.

(*Enregistré sur les Records le* 16 *avril* 1930.

AT THE COURT AT BUCKINGHAM PALACE,
The 28th day of March, 1930.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY,

LORD CHANCELLOR — LORD MACMILLAN
LORD PRESIDENT — MR. ROBERTS
MR. JAMES BROWN.

Loi supplémentaire à la Loi relative aux Preuves au Criminel, 1930.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 26th day of March, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey :— (1) That by virtue of the law intituled ' Loi relative aux preuves au criminel ' sanctioned by an Order of Your Majesty in Council registered on the Records of this island on the 10th day of February, 1923, a husband or wife as the case may be of an accused person, subject to certain exceptions which are provided for in the law, is not a competent witness except on the application of the accused person ; (2) That owing to the above enactment a husband or wife of a person

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charged with the offence of bigamy cannot be called by the prosecution to give evidence and difficulties have consequently arisen in recent cases of bigamy in establishing proof of the first marriage ; (3) That in order to provide against these difficulties occurring in future prosecutions for bigamy a Bill or " Projet de Loi," prepared by the Law Officers of the Crown, was submitted to and adopted by the Royal Court on the 1st day of March, 1930, and the Bailiff was requested to submit the same to the States for their approval ; (4) That on the 19th day of March, 1930, the said Bill or ' Projet de Loi ' was submitted to the States and approved, and the President was authorized to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (5) That the said Bill or ' Projet de Loi ' is in the words and figures set forth in the Schedule hereunto annexed and is intituled ' Loi Supplémentaire à la Loi relative aux Preuves au Criminel, 1930.' And most humbly praying that Your Majesty would be graciously pleased to Grant Your Royal Sanction to the Bill or ' Projet de Loi ' of the States of Guernsey intituled ' Loi Supplémentaire à la Loi relative aux Preuves au Criminel, 1930,' and to order and direct that the same shall have the force of Law within the Island of Guernsey."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

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AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI SUPPLÉMENTAIRE À LA LOI RELATIVE AUX PREUVES AU CRIMINEL, 1930.

Les dispositions de cette Loi sont supplémentaires aux dispositions de l'Article 3 (1) de la Loi relative aux Preuves au Criminel sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 10 février 1923.

Le mari, ou la femme, d'une personne quelconque accusée de l'un des chefs d'accusation figurant dans la Loi relative à la Bigamie sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 10 février 1923, pourra être cité à déposer comme témoin à charge ou à décharge et sans le consentement de la personne accusée.

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(*Enregistré sur les Records le* 28 *avril* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of March, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD CHANCELLOR — LORD MACMILLAN
LORD PRESIDENT — MR. ROBERTS
MR. JAMES BROWN.

Loi portant amendement à la Loi sur le Permis de port d'Armes de Chasse. Auregny.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 20th day of March, 1930, in the words following, viz :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney, setting forth :— ' That Your Majesty was graciously pleased by Your Majesty's Order in Council of the 9th day of March, 1914, to ratify a Projet de Loi intituled " Loi relative aux permis de port d'Armes de Chasse " to be in force in Your Majesty's Island of Alderney. That article 3 of the said Law fixed the amount to be charged for gun licences issued in this Island. That at a Meeting of the States holden before Your Petitioner on the 27th day of May, 1929, the States were of opinion that the charges for Gun Licences should be revised, and requested Your Petitioner to prepare a Projet de Loi giving effect thereto for their consideration. That at a Meeting of the States holden before Your Petitioner on the 25th day of September, 1929, the States considered the Projet de Loi intituled " Projet de Loi portant amendement à la Loi sur le permis de port d'Armes de Chasse " and approved of the same, and authorised Your Petitioner to present in the name of the States a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And most humbly praying that Your Majesty would be graciously

pleased to grant thereunto Your Royal Sanction, and to order that the said Projet de Loi shall have the force of Law in Your Majesty's said Island of Alderney.' 1930

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI PORTANT AMENDEMENT À LA LOI SUR LES PERMIS DE PORT D'ARMES DE CHASSE.

Sera abrogé l'article de la Loi sur les permis de port d'armes de Chasse, ratifiée par un Ordre de Sa

1930 Majesté le Roi en Conseil en date du 9 mars 1914, enregistré sur les Records de cette Ile le 1er avril 1914, et y sera substitué l'article suivant :—

3.—Il sera payé pour chaque permis comme suit:—

Par un habitant payant taxe ou les fils de tel habitant 5/–, et par toute autre personne 10/– sterling.

ALDERNEY.

Translation of "Projet de Loi" adopted by the States of Alderney, 25th September, 1929, and approved by Order of His Majesty in Council of 28th March, 1930.

PROJET DE LOI AMENDING THE LAW RELATING TO GUN LICENCES.

Article 3 of the Law relating to Gun Licences, ratified by an Order of His Majesty the King in Council dated the 9th March, 1914, and registered on the Records of this Island, 1st April, 1914, shall be repealed and the following Article shall be substituted therefor :—

3.—There shall be paid for each licence, as follows : By an inhabitant paying tax or the sons of such inhabitant 5s., and by all other persons 10s. sterling.

(Enregistré sur les Records le 31 mai 1930.)

The Government Annuities Act, 1929.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 15 mai 1930, transmettant des exemplaires de l'Acte de Parlement suivant, savoir :—19 & 20 George V., Chapter 29, "The Government Annuities Act, 1929."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné :—

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(1) Que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile.
(2) Qu'un des exemplaires du dit Acte de Parlement sera enregistré sur les dits Records par être logé au Greffe.
(3) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Acte de Parlement sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(Enregistré sur les Records le 3 juin 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 15th day of May, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — MASTER OF THE HORSE
LORD PRIVY SEAL — DR. ADDISON.

Loi supplémentaire relative aux Automobiles, 1930.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 22nd day of April, 1930, in the words following, viz.:—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That on the 22nd day of March, 1930, the Royal Court adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi Supplémentaire relative aux Automomobiles, 1930," and requested the Bailiff to submit the same to the States for their approval. (2) That on the 11th day of April, 1930, the said Bill or Projet de Loi was submitted to and approved by the States, and the President was authorized to submit the same to Your Majesty in Council for Your Royal Sanction. 3. That the said Bill or Projet de Loi is in the words

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and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi supplémentaire relative aux Automobiles, 1930," and to order and direct that the same shall have the force of Law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1930

LOI SUPPLÉMENTAIRE RELATIVE AUX AUTOMOBILES, 1930.

Est et sera rappelé l'article 10 de la Loi relative aux Automobiles sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 11 décembre 1926 et l'article suivant y sera substitué. Age pour autorisations de conduire.

10.—(1) Les autorisations de conduire seront accordées distinctivement à l'égard de :—

(*a*) Moto-bicyclette simple seulement. Cette autorisation ne sera accordée à une personne âgée de moins de quatorze ans.

(*b*) Moto-bicyclette avec " side-car " seulement. Cette autorisation ne sera accordée à une personne âgée de moins de dix-sept ans.

(*c*) Automobile (à l'exception de moto-omnibus, moto-char-à-banc et automobile ayant sans chargement un poids excédant 3 tonnes). Cette autorisation ne sera accordée à une personne âgée de moins de dix-sept ans.

(*d*) Moto-omnibus, moto-char-à-banc et automobile ayant sans chargement un poids excédant 3 tonnes. Cette autorisation ne sera accordée à une personne âgée de moins de vingt ans et comportera autorisation de conduire un automobile visé par l'alinéa (*c*). Pénalité pour renseignements faux.

Les autorisations (*c*) et (*d*) ne comporteront l'autorisation de conduire une moto-bicyclette simple ou une moto-bicyclette avec " side-car."

Celui qui, dans le but d'obtenir une autorisation donnera sciemment à l'autorité compétente des renseignements faux concernant son âge, son nom ou son adresse sera passible sur conviction en Police Correctionnelle d'une amende à la discrétion de la

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Cour n'excédant pas £5 stg., et en outre à la suspension ou au retrait de l'autorisation qu'il aura pu ainsi obtenir.

(2) Rien dans cet article n'empêchera le maintien ou renouvellement d'une autorisation régulièrement obtenue avant le commencement de cette Loi sous l'empire du dit article 10 présentement rappelé.

Cette Loi viendra en force le jour de l'enregistrement sur les Records de cette Ile de l'Ordre de Sa Majesté en Conseil la sanctionnant.

(Enregistré sur les Records le 2 août 1930).

AT THE COURT AT BUCKINGHAM PALACE,
The 26th day of June, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD COLEBROOKE
LORD PASSFIELD — LORD BLANESBURGH.

Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1930.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 24th day of June, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 22nd day of February, 1930, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1930,' and requested the Bailiff to submit the same to the States of Deliberation for approval. (2) That on the 19th day of March, 1930, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorising the

President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule annexed to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled 'Loi ayant rapport à la Compensation pour Accidents aux Ouvriers 1930,' and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1930

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

1930. "PROJET DE LOI" referred to in the foregoing Order in Council.

LOI AYANT RAPPORT À LA COMPENSATION POUR ACCIDENTS AUX OUVRIERS, 1930.

Attendu que le Comité des Etats dit "The States Insurance Authority" ayant l'administration de la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers (1924) sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 17 novembre 1924 a fait des représentations aux Etats de cette Ile démontrant qu'il y a lieu d'améliorer et d'amplifier certaines des dispositions de la dite Loi qui ne répondent pas aux besoins qui se sont revélés dans l'expérience de l'opération de la dite Loi ;

Attendu que les Etats par leur délibération en date du dix mai mil neuf cent vingt neuf ont adopté quelques-unes des suggestions faites par le dit Comité, et ont prié la Cour Royale de préparer un Projet de Loi pour y donner effet ;

Attendu qu'il est expédient de rappeler la dite Loi de 1924 et aussi la loi intitulée "Loi supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924" sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 16 janvier 1928, et d'incorporer dans une nouvelle loi les amendements adoptés, les articles qui ensuivent rédigés en anglais auront force de loi en cette Ile.

ARTICLE I.

DEFINITIONS.

1. In this law, unless the contrary intention appears :

(*a*) Words importing the masculine gender shall include female ; and

(*b*) Words in the singular shall include the plural, and words in the plural shall include the singular.

(*c*) " Worker " means any person who has attained the age below which he is obliged to attend school and whose usual earnings, excluding overtime, do not exceed £3 a week, and who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work or otherwise, and whether the contract is expressed or implied, is oral or in writing. An unpaid apprentice shall be a worker within the meaning of this definition. Board and lodging when reckoned as part of earnings shall be computed at not more than 15s. per week and Board only at not more than 10s. per week.

(*c*) " Dependants " means such members of the worker's family as were wholly or in part dependent upon the earnings of the worker at the time of his death or injury, or would, but for the incapacity due to the accident, have been so dependent, and where the worker, being the parent or grandparent of an illegitimate child, has or leaves such child so dependent upon his earnings, or being an illegitimate child, has or leaves a parent or grandparent so dependent upon his earnings, shall include such illegitimate child and parent or grandparent respectively.

The words " wholly or in part dependent " in this section mean dependent wholly or partially on contributions for the provision of the ordinary necessaries of life suitable to the class and position of the person so dependent.

(*e*) " Member of family " means wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, step-daughter, brother, sister, half-brother, half-sister, also orphan nephew, orphan niece, being in the custody of the worker. Also a child the custody of whom has been granted to and accepted by the worker. Provided that the name

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and age of such orphan nephew or niece or of such child have been declared to the Secretary before an accident giving rise to a claim is sustained by the worker.

(*f*) " The Militia " means the Royal Guernsey Militia or any other Force substituted therefor, and includes any military force raised and serving in the Island.

(*g*) " Employer " includes :—

(i) Any body of persons corporate or unincorporate.

(ii) The legal personal representative of a deceased employer.

(iii) The person with whom a worker has entered into a contract of service or apprenticeship and who temporarily lends or lets on hire to another person the services of such worker. Such former person shall, for the purposes of this law, be deemed to continue to be the employer of the worker whilst he is working for that other person, and

(iv) The representative or agent in this Island for the purposes of this law of an employer not residing therein.

Article II.

Compulsory Insurance.

The insurance in accordance with the provisions of this law of all workers as defined in Section (*c*) of the definitions against incapacity resulting from death or personal injury to provide for themselves and their dependants shall be compulsory.

Article III.

States Insurance Authority.

1.—The control and management of the States Insurance Scheme shall be entrusted to a Committee

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of six members called "The States Insurance Authority." Such Committee shall be elected by the States but with the exception of the President not necessarily from among the members of the States, provided that two such members shall be workers and shall be compensated by the States for the time spent by them respectively in the performance of their duties under this law.

2.—The members of the States Insurance Authority shall be elected for a term of three years and shall be eligible for re-election. Provided, as to this and the preceding section, that the members of the States Insurance Authority constituted under the former law entitled "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924" and holding office at the commencement of this law shall continue in office as members of and constituting the States Insurance Authority under this law subject to the conditions of retirement and eligibility for re-election by which they were severally affected under the said former law.

3.—The secretary to the States Insurance Authority shall be appointed by the States Appointments Board at such salary as the States may decide, and the States Insurance Authority shall confer on him such powers of settling uncontentious claims as they may think fit.

4.—The States Insurance Authority shall keep statistics of accidents for which benefits have been paid, giving all particulars that may be considered useful for the more exact assessment of risks.

Article IV.

Employers.

1.—In the case of all employed workers, the employer shall be responsible for affixing a stamp specially prepared for the purpose at the rate of 3*d*. per week for every male and $1\frac{1}{2}d$. per week for every

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female on a card provided by the States Insurance Authority, at the rate of one stamp for every week of employment.

2.—In the case of part-time employment the first employer of the week shall affix the stamp of 3*d*. for a male worker and 1½*d*. for a female worker in such manner as may be directed by the States Insurance Authority, unless the period for which he is responsible is already covered by the affixing of a stamp under sections 1 and 2 of Article VII.

When affixing the stamp and in paying the wages the first employer shall be entitled to recover from the worker the proportion of the contribution in respect of that part of the week in which he is not the employer as near as it is possible, and the worker shall be entitled to recover from his other employers of the week the proportion of the contribution due by them respectively.

3.—An employer failing to affix the necessary stamp to the worker's card each week shall, on conviction, be liable to a fine not exceeding £5.

4.—When an employer engages a new worker he shall satisfy himself that the proposed employee's card is completely stamped up-to-date. If an employer employ a worker whose card is not stamped up-to-date, he shall be liable on conviction to a fine not exceeding £1.

5.—Any person engaging a worker for a period not exceeding four hours in the same day, other than a worker engaged in loading or unloading a vessel, shall not be held to be an employer of that worker within the meaning of this law.

ARTICLE V.

Workers.

1.—A worker's contribution shall be at the rate of one penny per week for males and a halfpenny per week for females, and his employer shall be entitled to deduct that amount from his wages.

2.—The value of the stamp to be affixed to the card of a worker by the worker when unemployed shall be at the rate of 3*d*. per week for a male and 1½*d*. per week for a female during the period of unemployment. Provided that a States Committee appointed to provide or obtain employment for unemployed workers shall have power to stamp the card of an unemployed worker whose name is registered with such Committee.

3.—Any person, other than a worker engaged in loading or unloading a vessel, not undertaking service for any one employer for a longer period than four hours in the same day, shall not be held to be an employed worker within the meaning of this law.

Article VI.

Adhesive Stamps.

Adhesive stamps affixed to cards shall be cancelled by the person affixing the same by writing with ink or indelible pencil or by the impression of an inked stamping implement. Such person, if he shall omit or neglect so to do, shall be liable on conviction to a fine not exceeding £1.

Article VII.

Prepaid Cards.

1.—The States Insurance Authority may issue cards prepaid by means of embossed stamps for such periods as may seem convenient to the said Authority.

2.—A worker who has provided himself with a prepaid card shall be entitled to receive from his employer, in addition to his wages, the proportion of the insurance premium that would have been the share of his employer if the prepaid card had not been obtained.

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ARTICLE VIII.

Voluntary Insurance.

Any person resident in Guernsey who has attained the age below which he is obliged to attend school and whose usual earnings do not exceed £6 a week, and who is wholly or mainly dependent for his livelihood on the earnings derived from his occupation may (even if he does not undertake work for another) voluntarily insure by obtaining from the States Insurance Authority a prepaid card, stamped for such period as the States Insurance Authority may by regulation provide, to the amount per week for which he and his employer together would have been responsible had he been a worker as defined by this law, and such person shall be deemed a worker for the purposes of this law, as expressed in the Articles hereinafter following.

ARTICLE IX.

Cards, General Regulations.

The States Insurance Authority may at any time and from time to time prepare regulations governing the issue of new cards, the return and renewal of cards, the particulars to be inscribed on cards, the replacement of lost cards and providing against cards being obtained under false names and by false pretences and other matters of the like nature. Regulations so prepared shall have no effect until they have been submitted to and received the approval of the Royal Court and on receiving such approval they shall have effect as Ordinances of the Royal Court. The Royal Court may modify, amend and repeal such regulations and may prescribe penalties for their enforcement.

ARTICLE X.

States Contribution.

The States shall contribute one penny per male

worker and one halfpenny per female worker per week to the funds of the States Insurance Authority. 1930

Article XI.

Fixing and Revision of Premiums.

The States Insurance Authority shall review and may alter the premiums every five years and may do so at any other time. Every such alteration shall be submitted to the States and shall have effect when sanctioned by the States and not otherwise.

Article XII.

The liabilities to be charged to any year shall include :—

(*a*) The benefits paid in respect of accidents which have happened during that year.

(*b*) The benefits which it is estimated will be payable in subsequent years in respect of accidents which have happened during that year.

(*c*) The cost of administration and other expenses incurred under the provisions of this law.

Article XIII.

A valuation of the assets and liabilities of the States Insurance Authority shall be made at the 31st December, 1930, and at the expiration of every three years thereafter and at shorter intervals if so directed by the Royal Court. Every such valuation shall be made by a valuer to be appointed by the Royal Court. If upon any such valuation a deficiency or surplus is found, such deficiency or surplus shall be reported by the States Insurance Authority to the States, who shall have power to deal with the same.

ARTICLE XIV.

States Guarantee.

If at any time the funds at the disposal of the States Insurance Authority are insufficient to meet its liabilities, the States shall furnish such amounts as may be required from time to time by the States Insurance Authority to enable it to meet such liabilities.

ARTICLE XV.

Conditions for Payment of Benefits.

1.—Benefits shall be given for accidents occurring at any time and in any manner, unless it be proved to the satisfaction of the States Insurance Authority that the injury to the worker was attributable to the serious and wilful misconduct or drunkenness of that worker or to such negligence on his part as to cause danger to himself or others in which cases or any of them any benefits claimed in respect of that injury may, at the discretion of the States Insurance Authority, be disallowed in whole or in part.

2.—Benefits shall not be payable for the first three days of incapacity.

3.—Benefits under this law for accidents happening to workers in places outside the Bailiwick shall only be payable if the card of the worker in question (except if it be a prepaid embossed card) was deposited in the Island before the time of the happening of the accident with his employer or with the States Insurance Authority or with a person authorised by the States Insurance Authority to receive such cards.

4.—Where benefits have been awarded to a worker or to dependants of a worker on account of injury or death resulting from accident, and it is found that no card has been issued to such worker for the period current at the time of the accident or that his card

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was not fully stamped up to the time of the happening of the accident, the States Insurance Authority may take proceedings against the person responsible for the stamping of such worker's card or of the portion of the card unstamped as the case may be, or against his legal personal representative, and shall be entitled to recover twenty-five shillings for every week for which the insurance was omitted and any costs incurred in such recovery.

5.—Notice of a claim for benefits for an injury shall be given as soon as practicable and not later than fourteen days after the happening of the accident, or, in the case of death, within fourteen days from the time of death. Provided always that the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such claim if it is found in the proceedings for settling the claim that the States Insurance Authority is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced by the want, defect or inaccuracy, or that such want, defect or inaccuracy was occasioned by mistake, absence from the Island, or other reasonable cause.

6.—Claims for benefits in respect of injury under this law shall be made on forms of notice to be provided free of cost by the States Insurance Authority and shall contain such information as the States Insurance Authority may think necessary for the proper verification of claims. A receipt shall be given to the person registering the claim.

7.—The notice shall be accompanied by a certificate from a legally qualified medical practitioner stating the nature of the injury and that the injury of which notice is being given, is such as to prevent the worker wholly or partially from working at his occupation, and the probable duration of the incapacity.

8.—When it appears to the medical practitioner in charge of a worker who is drawing benefits under this

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law, that his patient is sufficiently recovered to be capable of undertaking work again either wholly or partially, it shall be his duty to forward to the States Insurance Authority a certificate to that effect upon the form prescribed by the States Insurance Authority.

9.—When a worker has been injured by an accident and a legally qualified medical practitioner has attended him, the fee for the first attendance by the said practitioner shall be paid by the States Insurance Authority, provided that such attendance has taken place within twenty-four hours of the occurrence of the accident.

10.—There shall be an appeal on all points of law from the decision of the States Insurance Authority to the Royal Court sitting as a Full Court.

11.—Notwithstanding anything in this Article contained, benefits may at the discretion of the States Insurance Authority be withheld in cases where an unemployed worker's card or the card of a voluntary insured worker is not stamped up-to-date at the time of an accident.

Article XVI.

Benefits.

1.—The States Insurance Authority shall pay the benefits to the persons and up to the amounts set forth in this article.

Where the person entitled to the benefit is a minor or person under Guardianship, such payment shall be made to the legal guardian for the use of such person, or, in the case of a minor having no guardian, to the person for the time being having the custody of such minor for the use of such minor and the receipt of the guardian or of the person having such custody as the case may be, shall be a sufficient discharge.

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(*a*) *Where Death results from the Accident :*
Reasonable funeral expenses not exceeding ten pounds.

(*b*) *Where Death results from the Accident :*
Surviving dependants of the deceased worker shall be entitled to receive from the States Insurance Authority the sums provided in this sub-section.

(*i*) *If wife :* Fourteen shillings a week till death or re-marriage.

(*ii*) *If Husband :* Fourteen shillings a week till death or until he is able to support himself.

(*iii*) *If Wife or Husband and Child or Children under Fifteen Years of Age survive :* In addition to the sum provided in (*i*) or (*ii*) seven shillings per week in respect of one such child being the only such child, thirteen shillings per week in respect of two such children, eighteen shillings per week in respect of three such children, and twenty-two shillings per week in respect of four or more such children. Maximum benefits thirty-six shillings per week.

Provided that further benefit not exceeding an additional year's benefit may be granted in respect of any such child where, in the opinion of the States Insurance Authority, it is expedient to do so in the interest of such child.

Provided also that in the event of the death of such surviving husband or wife as the case may be whilst there is a child living under fifteen years of age, sub-section (*b*) (iv) shall apply from the date of such death instead of this sub-section.

(*iv*) *If Child or Children only survive :* In respect of surviving child or children under fifteen years of age there shall be paid fourteen shillings per week in respect of one such child being the only such child, twenty-one

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shillings per week in respect of two such children, twenty-seven shillings per week in respect of three such children, thirty-two shillings per week in respect of four such children and thirty-six shillings per week in respect of five or more such children. Maximum benefits thirty-six shillings per week.

Provided that further benefit not exceeding an additional year's benefit may be granted in respect of any such child where, in the opinion of the States Insurance Authority, it is expedient to do so in the interest of such child.

(*v*) *On Re-marriage*, a widow shall receive a lump sum of seventy-three pounds, and thereupon all payment to her in respect of benefits for herself shall cease.

(*c*) *Where Total Disablement results from the Accident :* Fourteen shillings a week during such disablement. If the injured worker has a wife, a husband, or children under fifteen years of age dependent on his or her earnings, the following sums shall also be paid to the injured worker : four shillings a week for one such dependent, eight shillings a week for two, twelve shillings a week for three, sixteen shillings a week for four or more. When any child reaches the age of fifteen the benefits shall cease in respect of such child.

Provided that further benefits not exceeding an additional year's benefits may be granted in respect of any child, where in the opinion of the States Insurance Authority, it is expedient to do so in the interest of such child.

(*d*) *Where partial Disablement results from the Accident :* A weekly sum shall be paid to the worker by way of benefit, but such sum shall not in any case exceed the difference between

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the amount of the average weekly earnings of the worker before the accident and the usual weekly amount which he is earning or is able to earn in some suitable employment or business after the accident, but it shall bear such relation to the amount of that difference as in the circumstances of the case may appear proper to the States Insurance Authority. Provided, however, that the benefits awarded shall not exceed the benefit that would have been awarded if the disablement had been total.

(*e*) *Other Dependants :* When the benefits granted to the worker and dependants or to dependants alone under the preceding provisions of this Article do not amount to twenty-five shillings per week or when a worker has died as the result of an injury, leaving neither wife, husband nor children under fifteen years of age, benefits may be granted at the discretion of the States Insurance Authority to other dependants according to the degree of their dependance, provided that the total weekly benefit does not exceed the maximum of twenty-five shillings laid down in Section 10 of this Article.

(*f*) Subject to the provisions of Section 10 of this Article, benefits may at the discretion of the States Insurance Authority be paid in respect of children over fifteen years of age who were dependent on a worker and who were and are in a state of mental or physical incapacity and continue in a state of dependancy by reason thereof.

2.—The States Insurance Authority may at any time make such directions as to the mode of payment of benefits as in their opinion will ensure the proper expenditure of the same.

3.—The States Insurance Authority may by agreement wholly or partly commute the benefits awarded by the payment of a lump sum when such a course shall appear to them advisable.

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4.—When there are both total and partial dependants nothing in this Article shall be construed as preventing the benefits being allotted partly to the total and partly to the partial dependants, at the discretion of the States Insurance Authority.

5.—If a worker receiving weekly payment ceases to reside in the Island, he shall thereupon cease to be entitled to receive any weekly payment, unless the medical referee certifies that the incapacity resulting from the injury is likely to be of a permanent nature. If the medical referee so certifies, the worker shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by the States Insurance Authority, his identity and the continuance of the incapacity in respect of which the benefits are payable.

6.—A worker while drawing benefits shall continue to pay his insurance contribution and he shall, when drawing benefits, present, or cause to be presented, his card, fully stamped up to the end of the week in respect of which benefits are to be drawn. Provided that in cases of total and permanent disablement, or when the injured worker has ceased to reside in the Island and in consequence would no longer be subject to the provisions of this law if he were not drawing benefits, the provisions of this clause shall not apply.

7.—Benefits awarded in the form of weekly payments to or in respect of an injured worker may be reviewed at the instance of either the States Insurance Authority or of such worker, and on such review may be ended, diminished, or increased, within the limits provided by the appropriate section of this Article.

Provided that, where the worker was at the time of the accident under twenty-one years of age, and the review takes place more than twelve months after the accident, the amount of the weekly payment may

be increased to any amount not exceeding the wages which the worker would probably have been earning at the date of the review if he had remained uninjured but not exceeding the maximum provided for in Section 10 of this Article.

8.—When an insured person has received, or is entitled to receive, whether from his employer or any other person (other than a Friendly Society or Insurance Agency), any compensation, or damages for an accident, the following provisions shall apply :

(*a*) No benefits shall be paid under this law in respect of that accident when the weekly sum payable by way of such compensation, or damages or the weekly equivalent of a lump sum so paid or payable is equal to or greater than the weekly wages earned at the time of the accident, and

(*b*) When such weekly sum or weekly equivalent is less than the said wages only such parts of the benefits due under this law shall be paid as, together with the weekly sum or weekly equivalent above-mentioned, will be equal to the said wages.

9.—Benefits awarded shall not be capable of being assigned, charged or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

10.—Notwithstanding anything in this Article contained, the total benefits payable in respect of any worker shall not exceed twenty-five shillings per week, except as provided in Section 1 (*b*) (iii), Section 1 (*b*) (iv) and Section 1 (*c*) of this Article.

11.—In the event of a considerable variation in the cost of living the States Insurance Authority may, with the sanction of the Royal Court, vary the amount of benefits payable under this Article, but so that such variation whether by increase or reduction shall not exceed one shilling per week in respect of each person entitled to benefits.

ARTICLE XVII.

Medical Benefits.

1.—The States Insurance Authority shall be empowered to pay for medical attendance to injured workers at its discretion.

2.—Where there is reason to believe that perfect or partial recovery of capability to work by an injured worker can only be obtained by special measures, the States Insurance Authority may direct that he be sent to hospital, and may provide apparatus and means, and defray the expenses necessary for the treatment of the case.

3.—An injured worker who is living with his wife or family may only be sent to a hospital by his own consent, unless the injury is of such a nature that the necessary treatment would make home-nursing impossible or very difficult.

4.—Where an injured worker refuses, without sufficient reason, to submit to the treatment recommended by the medical attendant, the States Insurance Authority may, at its discretion, withhold the whole or part of the benefits granted, provided :—

(*a*) that he be warned of the result of his refusal ;

(*b*) that it be explained to him that his capability to work may be adversely affected by his refusal.

5.—While an injured worker is in hospital at the expense of the States Insurance Authority, accident benefit will not be payable to him, but benefits will be payable to his dependants to the amount that would have been due to them if such worker had died as the result of the accident which occasioned his injury.

ARTICLE XVIII.

Medical Examinations.

1.—Where a worker has given notice of an accident he shall, if so required by the States Insurance

Authority, submit himself for examination by a duly qualified Medical Practitioner provided and paid by the States Insurance Authority, and, if he refuses to submit himself to such examination, or in any way obstructs or delays the same, his right to benefits shall be suspended until such examination has taken place, and if his incapacity to work should be increased or prolonged by such refusal, obstruction or delay, the benefits may be reduced accordingly.

2.—Any worker receiving weekly payments under this law shall, if so required by the States Insurance Authority, from time to time submit himself for examination by a duly qualified Medical Practitioner provided and paid by the States Insurance Authority. If the worker refuses to submit himself for such examination, or in any way obstructs the same, his rights to such weekly payments shall be suspended until such examination has taken place.

3.—Where a worker has submitted himself for examination by a Medical Practitioner, as provided under Sections 1 and 2 of this Article, and is not satisfied with the report of the said Medical Practitioner, he may, on payment of such fee not exceeding twenty-one shillings as may be prescribed, refer the matter to a Medical Referee.

4.—The Medical Referee to whom the matter is so referred shall, in accordance with the regulations made by the States Insurance Authority, give a certificate as to the condition of the worker and his fitness for employment, specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matter so certified.

5.—When a case has been submitted to a Medical Referee, as provided in Section 3 of this Article, and the report of the said Medical Referee upholds the objection of the worker, the fee paid by the worker to the Medical Referee shall be refunded to the worker by the States Insurance Authority.

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6.—Where under this Article a right to benefits is suspended no benefits shall be payable in respect of the period of suspension.

ARTICLE XIX.

Medical Practitioners and Referees.

1.—The States Insurance Authority shall appoint such legally qualified Medical Practitioners to be Medical Referees for the purposes of this law as it may determine.

2.—Where a Medical Referee has been employed as a Medical Practitioner by or on behalf of the injured worker, he shall not act as Medical Referee in that case.

3.—The States Insurance Authority shall pay such fees to the Medical Referees and Practitioners serving under this law as may be agreed on.

4.—The remuneration of, and other expenses incurred by Medical Referees and Practitioners shall be paid out of the funds obtained by the provisions of this law.

ARTICLE XX.

Remedies both against States and others.

1.—Where an injury for which benefits are payable under this law is caused to a worker in circumstances creating a legal liability in any person to pay damages for such injury, the right of such worker or his legal personal representative to take proceedings against such person for damages shall remain unaffected by this law except as provided in this Article.

2.—If such worker or his legal personal representative takes such proceedings he shall at the same time notify the States Insurance Authority thereof under penalty of forfeiture at the discretion of such Authority of further benefits under this law in respect of such injury and the States Insurance Authority may

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appear before the Court as a party having an interest and may make representations to the Court at every stage thereof. If such worker or his legal personal representative shall decline to take such proceedings or having taken them shall be negligent or commit default in the conduct thereof the States Insurance Authority may apply to the Court for permission to take or continue such proceedings as the case may be. in right of such worker or his legal personal representative, and the Court may make such order as shall seem just in the circumstances. Any amount recovered by the States Insurance Authority by virtue of such proceedings shall be applied in the same manner as an amount recovered under the provisions of Section 3 of this Article.

3.—The right of recovery on a judgment awarding damages in any proceedings as aforesaid and the right to receive any amount tendered and accepted before judgment in settlement of the claim shall as to such amount as may be awarded in respect of personal injury and loss consequential thereto vest in the States Insurance Authority as legal assignee whether such Authority was a party to such proceedings or not, and the amount so recovered shall be received and held by the States Insurance Authority as a Trustee for the following uses as far as the same may suffice :

(1) To pay therefrom all legal expenses incurred by the plaintiff in the prosecution and recovery of the claim for damages.

(2) To recover therefrom all benefits paid and future benefits in respect of such injury as and when the same shall be paid.

(3) On the cessation of payment of benefits, to pay the balance, if any, to such worker or to his legal personal representative.

Provided that where in the opinion of the States Insurance Authority the amount of damages so recovered is in excess of the total benefits payable

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such Authority may at its discretion make grants from time to time therefrom to such worker or his dependants during the time that the benefits under this law are being paid.

Provided also that where such worker has by declaration in writing made to the States Insurance Authority renounced his claim to benefits under this law before any payment has been made in respect thereof the provisions of this section and of the preceding section shall not apply.

4.—Where such proceedings have been taken with the approval of the States Insurance Authority and the judgment thereon has been given in favour of the defendant, the States Insurance Authority may at its discretion grant in addition to benefits under this law an amount in payment in whole or part of the costs for which the plaintiff is liable in respect of such proceedings.

ARTICLE XXI.

Exemptions.

A worker who proves to the satisfaction of the States Insurance Authority :—

(*a*) That he is in receipt of unearned income, secured to his dependants in case of his death at a rate not less than the maximum rate of benefits he could obtain under this law for total permanent disablement or that his dependants could obtain in case of his death caused by an accident, or

(*b*) That, being a stranger, he is subject by the law of his country to compulsory insurance against his incapacity resulting from death or personal injury, that such insurance is in force during the period of his residence in Guernsey, and that such insurance secures to him and his dependants benefits not less in amount than the benefits which would be paid under this

law in the event of such death or incapacity and if he and his dependants resided in Guernsey, or

(*c*) That he is working solely for his father or his mother and that in the event of his incapacity resulting from death or personal injury the person so employing him will be able to provide for such worker and his dependants compensation not less than the compensation which would be payable in benefits under this law and also, if he is a minor, that the person so employing him desires his exemption,

may obtain from the States Insurance Authority an exemption card and effective for such period as the States Insurance Authority shall determine and inscribe thereon, and during the validity of the said exemption card shall not be held to be subject to the provisions of this law.

ARTICLE XXII.

Crown Employees.

Persons in the naval or military service of the Crown other than the Militia, and such persons employed by or under the Crown who are paid out of moneys provided by the Imperial Parliament and entitled to sick pay from such funds shall not be considered workers within the meaning of this law.

ARTICLE XXIII.

Militia.

This law shall apply during the training in peace time of the Militia to workers actually serving therein and the States shall be deemed for the purposes of this law to be the employers of such workers.

ARTICLE XXIV.

Limitation of States Liability in War Time.

The States Insurance Authority shall not be liable to pay any benefits under this law to a worker in respect of any injury.

(*a*) caused through the action of the King's enemies in time of war ;

(*b*) received in time of war in the course of his duty while serving in the Militia.

ARTICLE XXV.

Fishermen and Seafaring Persons.

1.—This law shall apply to fishermen and other sea-faring persons, provided that :—

(*a*) They are workers within the meaning of this law.

(*b*) The employer or his agent is within the jurisdiction of the Island for the purposes of this law as regards the payment of premiums.

(*c*) They are not entitled to compensation under the Workmen's Compensation Act, 1906, or similar Act of the United Kingdom or of any other country.

2.—The cards must be fully stamped in advance and kept in the owner's or agent's office in Guernsey, except in the case of vessels whose absence is not intended to exceed seven days.

ARTICLE XXVI.

Strangers.

Strangers shall be entitled to benefit under this law subject to the following modifications :—

1.—The benefits awarded shall be reduced by one quarter.

2.—The benefits awarded shall only be payable as long as the injured person continues to reside in the

Island. If he ceases to reside in the Island he shall be entitled to receive in cases of permanent disablement only, a lump sum equal to three times the amount of his annual benefits or to the capital value of his benefits, whichever shall be the smaller, in full settlement of his claim. 1930

3.—The dependants of a stranger shall not be entitled to benefits if they were not ordinarily residing in the Island at the time of the accident.

4.—Benefits awarded to the dependants of a stranger, who are also strangers themselves, shall only be payable as long as they are resident in the Island.

5.—With respect to any benefits awarded under this Article the States Insurance Authority shall at any time be entitled to pay in full settlement three times the annual benefits awarded or the capital value of the benefits, whichever shall be the smaller, in full settlement.

6.—A stranger, whose principal place of residence has been in Guernsey during the greater part of each of five consecutive years preceding the happening of an accident in respect of which benefits are claimed, shall not be held to be a stranger for the purpose of this Article of this law ; nevertheless his dependants, unless they were ordinarily residing in the Island at the time of the accident, shall not be affected by the provisions of this clause of this Article.

7.—The limitations provided for under this Article in respect of strangers shall not apply to British subjects who are injured by accident during the course of their employment or to subjects injured under similar circumstances of those States which extend to foreign workmen the same privileges as those enjoyed by their own subjects in respect of such injuries.

Article XXVII.

Requirements of Law to be Posted in Business Premises.

Where a business is carried on and more than three

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workers are employed in such business, there shall be kept continuously posted on the premises where such business is carried on, in some conspicuous place where it may be conveniently read by the persons employed, a summary in such form as may be prescribed by the States Insurance Authority, of the requirements of this law with respect to the giving notice of accidents and the making of claims, and in the event of such summary being effaced, obliterated or destroyed, it shall be renewed with all reasonable despatch.

Any person who contravenes the provisions of this Article shall be liable on conviction to a fine not exceeding one pound at the discretion of the Court.

ARTICLE XXVIII.

Powers of Secretary to enter on private property other than private dwellings.

The Secretary or other person duly authorised thereto by him shall have power to enter during ordinary business hours on private property other than a private dwelling where workers are employed including property occupied for the purposes of any business or undertaking in which one or more workers are employed, in order to :—

(*a*) investigate the causes which led to an accident to a worker, or

(*b*) to demand production of and to inspect wage sheets, pay rolls and other records of wages paid to workers and to make interrogations concerning the same to ensure that the law is being observed in respect of such workers.

Penalty for obstruction.

Any person who shall obstruct or resist the Secretary or other authorised person in the execution of his powers or shall wilfully or knowingly suppress or withhold information or make false statements when lawfully interrogated concerning the said particulars shall be liable on conviction to a fine not exceeding £5 at the discretion of the Court.

ARTICLE XXIX.

Application of fines.

The fines shall be applicable half to His Majesty and half to the informer.

ARTICLE XXX.

Ordinances.

The Royal Court is authorised to pass such Ordinances as may be deemed necessary to give effect to this law.

ARTICLE XXXI.

Repeal of former laws.

The law intituled " Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," and the law intituled " Loi supplémentaire à la Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1924," which was sanctioned by an Order of His Majesty in Council registered on the sixteenth day of January, 1928, are hereby repealed.

Provided that the provisions of the said laws shall continue to have effect in respect of any infringement thereof committed before this law comes into operation.

ARTICLE XXXII.

Short title.

This law may be cited as " The Workers' Insurance Law, 1930."

ARTICLE XXXIII.

Date of coming into force.

This law shall come into force on the day of the registration of the Order of His Majesty in Council sanctioning the same.

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(Enregistré sur les Records le 21 août 1930.)

AT THE COURT AT BUCKINGHAM, PALACE,
The 28th day of July, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — VISCOUNT D'ABERNON
LORD CHAMBERLAIN — MR. CRAIGIE AITCHISON

Loi relative au Colportage —Auregny.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 17th day of July, 1930, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Esquire, Judge and President of the States of the Island of Alderney, setting forth :—(1) That on the 14th day of May, 1914, Your Majesty was graciously pleased by Your Majesty's Order in Council to ratify a Projet de Loi intituled ' Loi relative au Colportage ' to be in force in the Island of Alderney. (2) That at the Chief Pleas after Michaelmas held on the 1st day of October, 1928, the Chief Pleas were of opinion to appoint a Committee to examine the working of the said Law and to report thereon to the States. (3) That the said Committee presented their report to the States on the 27th day of May, 1929. (4) That the States were of opinion to receive the said report and the recommendations contained therein, and to authorise the Court to prepare a Projet de Loi giving effect thereto, for their consideration. (5) That at a Meeting of the States of Alderney, holden before the Petitioner on the 25th day of September, 1929, the States took into consideration the Projet de Loi intituled ' Projet de Loi relative au Colportage,' and were of opinion to make certain amendments thereto. (6) That at a meeting of the States holden before the Petitioner on the 19th day of December, 1929, the

States took the said Projet de Loi thus amended into consideration, and were of opinion to approve thereof and authorised the Petitioner to present, in the name of the States, a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereunto Your Royal Sanction. (7) That at a meeting of the States holden before the Petitioner on the 2nd day of June, 1930, the States took into consideration certain amendments to the said Projet de Loi suggested by the Royal Court of the Island of Guernsey, and agreed to the said Projet de Loi being amended accordingly. (8) That the said amendments are incorporated in the said Projet de Loi, and the Petitioner humbly prays Your Majesty to be graciously pleased to grant Your Royal sanction to the said Projet de Loi (a copy whereof is hereunto annexed), and to order the same to have force of law in Your Majesty's said Island of Alderney. 1930

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-

1930 Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

"PROJET DE LOI" referred to in the foregoing Order in Council.

LOI RELATIVE AU COLPORTAGE.

ARTICLE I.

Définitions. Définition. Dans cette Loi le terme "colporteur" comprendra :

(1) Toute personne qui vendra ou offrira en vente des denrées, aliments ou marchandises quelconques, soit sur la voie publique, soit dans un lieu public, soit en se rendant de maison en maison.

(2) Toute personne qui, soit sur la voie publique soit dans un lieu publique, soit en se rendant de maison en maison, exposera des échantillons de denrées, aliments ou marchandises quelconques, et ce dans le but d'obtenir des commandes pour la livraison subséquente des dites denrées, aliments ou marchandises.

(3) Toute personne arrivant dans cette Ile n'étant pas un résident de cette Ile, qui vendra ou offrira en vente des denrées, aliments ou marchandises quelconques, et ce dans un magasin, maison, appartement ou autre local qu'elle aura loué, ou dont elle se servira dans ce but.

(4) Toute personne arrivant dans cette Ile, n'étant pas un résident dans cette Ile, qui exposera des échantillons de denrées, aliments ou marchandises, dans le but d'obtenir des commandes pour la livrai-

son subséquente des dits denrées, aliments ou marchandises, et ce dans un magasin, maison, appartement ou autre local qu'elle aura loué, ou dont elle se servira pour cet objet. 1930

Article II.

Le colportage de vins, liqueurs spiritueuses, cidre et bière dans cette Ile est interdit. Articles dont le colportage est interdit.

Article III.

Le colportage de marchandises est défendu sans avoir obtenu une licence de la Cour. Le postulant d'une licence payera 2s. 6d. à la Cour, 2s. 6d. au Procureur du Roi, et 2s. 6d. au Greffier du Roi. Licences. Frais à la Cour, &c.

Les montants des licences seront versés entre les mains du Trésorier des Etats pour les Besoins Publics.

Article IV.

Il y aura trois catégories de licences comme suit : Classe et taux des licences.

1ère Classe.—Pour une personne résidant en cette Ile colportant des marchandises sur la voie publique, dans un lieu public ou en se rendant de maison en maison, Une Livre sterling.

2me Classe.—Pour une personne arrivant dans cette Ile n'étant pas un résident de cette Ile colportant des marchandises sur la voie publique, dans un lieu public ou en se rendant de maison en maison, Deux Livres dix chelins sterling.

3me Classe.—Pour une personne arrivant dans cette Ile n'étant pas un résident de cette Ile qui vendra ou offrira en vente des marchandises dans un magasin, maison, appartement ou autre local qu'elle aura loué, ou dont elle se servira pour cet objet ; ou pour une personne arrivant dans cette Ile n'étant pas un résident de cette Ile, qui exposera des échantillons de denrées, aliments ou marchandises quelconques, dans le but d'obtenir des

1930

commandes pour la livraison subséquente des dites denrées, aliments ou marchandises, et ce dans un magasin, maison, appartement ou autre local qu'elle aura loué, ou dont elle se servira pour cet objet, Deux livres dix chelins sterling.

ARTICLE V.

Durée d'une licence.

Les licences seront en force pour une année, à compter du jour de l'octroi.

ARTICLE VI.

Personnes non considérées colporteurs.

Ne seront pas considérés comme colporteurs aux fins de cette loi ;—

(i) Ceux qui cherchent à obtenir des commandes pour des articles à des personnes qui sont elle-mêmes marchands des dits articles et qui les achètent ou commandent dans la vue de les revendre ensuite.

(ii) Les vendeurs de poisson frais, de lait ou de beurre, ainsi que des personnes offrant en vente des gazettes ou des journaux.

(iii) Les fermiers et jardiniers, ou leurs employés, cultivant de la terre en cette Ile, pour la vente des produits de la dite terre.

(iv) Les marchands de pain et les marchands de charbon.

(v) Les personnes résidant dans cette Ile faisant des ventes à l'enchère des marchandises autres que des marchandises importées dans cette Ile pour être vendues à l'enchère. L'expression " Marchandises Importées dans cette Ile " ne s'appliquera pas aux marchandises ou matériaux sauvés d'un vaisseau échoué ou naufragé sur les côtes de cette Ile.

ARTICLE VII.

Pénalité.

Sera passible à une amende qui n'excèdera pas £10 stg., ou à défaut de paiement, d'un emprisonnement n'excédant pas un mois, toute personne colpor-

tant en contravention aux articles de cette Loi. Les amendes seront applicables moitié à Sa Majesté et moitié au délateur. 1930

ARTICLE VIII.

Est et demeure rappelée la Loi relative au Colportage ratifiée par un Ordre de Sa Majesté en Conseil en date du 14 Mai, 1914, et enregistré sur les Records de cette Ile en date du 10 Juin 1914. Rappel de la Loi de 1914.

Translation of "Projet de Loi relating to Hawking," approved by Order of His Majesty in Council the 28th day of July, 1930.

ARTICLE I.

1.—In this law the term Hawker shall include :— Definitions.

(1) Any person selling or offering for sale any wares, articles of food, or merchandise, either in the public thoroughfare, in a public place, or by going from house to house.

(2) Any person who, either on the public thoroughfare, in a public place, or by going from house to house, exposes samples of any wares, articles of food or merchandise with a view to obtaining orders for their wares, articles of food or merchandise to be subsequently delivered.

(3) Any person arriving in the Island not being a resident thereof who offers for sale any wares, articles of food or merchandise in any house, shop, room or other place hired or used by him for that purpose.

(4) Any person arriving in the Island not being a resident thereof who exposes samples of any wares, articles of food or merchandise in any house, shop, room or other place hired or used by him for that purpose, with a view to obtaining orders for such wares, articles of food or merchandise to be subsequently delivered.

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ARTICLE II.

Articles the hawking of which is forbidden.

The hawking of wines, spirituous liquors, cider and beer in this Island is prohibited.

ARTICLE III.

Court fees for licences.

It is forbidden to hawk goods without having a licence from the Court. The applicant for a hawker's licence shall pay 2s. 6d. to the Court, 2s. 6d. to His Majesty's Procureur, and 2s. 6d. to His Majesty's Greffier.

The amount charged for the licence shall be paid to the States' Treasurer for the Besoins Publics.

ARTICLE IV.

Classes of licences and fees for same.

There shall be three classes of licences :—

1st Class.—For a person residing in this Island hawking goods on the public thoroughfare, in a public place, or from house to house, One Pound.

2nd Class.—For a person arriving in this Island not being a resident thereof, hawking goods on the public thoroughfare, in a public place, or from house to house, Two Pounds Ten Shillings.

3rd Class.—For a person arriving in this Island not being a resident thereof, who sells or offers for sale any wares, articles of food or merchandise in any house, shop, room or other place hired or used by him for that purpose, or, for a person arriving in this Island not being a resident thereof who exposes samples of any wares, articles of food, or merchandise in any house, shop, room or other place hired or used by him for that purpose, with a view of obtaining orders for such wares, articles of food, or merchandise to be subsequently delivered, Two Pounds Ten Shillings.

ARTICLE V.

Duration of a licence.

The licences shall be in force for one year from the date of issue.

ARTICLE VI.

Persons not considered as hawkers.

Shall not be considered hawkers within the meaning of this Law :—

(1) Persons seeking orders for goods from persons who are themselves dealers therein and who buy with a view to selling again.

(2) Vendors of fresh fish, milk or butter, as well as persons offering for sale newspapers or journals.

(3) Farmers or gardeners, or their employees, cultivating land in this Island, as far as regards the sale of the produce of the said land.

(4) Persons selling bread and coal.

(5) Persons resident in the Island conducting sales by auction of goods other than goods imported into the Island for the purpose of sale by auction.

The expression " goods imported into the Island " shall not include goods and materials saved from a stranded or wrecked ship.

ARTICLE VII.

Penalty for infraction.

Shall be liable to a fine not exceeding £10 stg., or in default of payment to a term of imprisonment which shall not exceed one month, any person contravening the provisions of this Law. The fines shall be applied one-half to His Majesty and one-half to the informer.

ARTICLE VIII.

Repeal of former law.

Is hereby repealed the law relating to Hawking, ratified by an Order of His Majesty in Council on the 14th day of May, 1914, and registered on the Records of this Island the 10th day of June, 1914.

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(*Enregistré sur les Records le* 21 *août* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of July, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT	VISCOUNT D'ABERNON
LORD CHAMBERLAIN	MR. CRAIGIE AITCHISON.

Loi relative à la Séparation de Mariés en Police Correctionnelle.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 25th day of July, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That by an Order in Council of the 20th June, 1890, the Law intituled ' Loi relative à la Séparation de Mariés en Police Correctionnelle ' was duly registered on the Records of the Island of Guernsey ; (2) That on the 22nd June, 1929, the Royal Court adopted a Projet de Loi prepared by the Law Officers of the Crown, amending the aforesaid Law and widening the powers of the Magistrate in such cases, and requested the Bailiff to submit the same to the States for their approval ; (3) That on the 10th July, 1929, the said Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (4) That accordingly the said Bill or Projet de Loi was duly transmitted for Your Majesty's Royal Sanction on the 13th July, 1929, and was returned on the 16th August following with certain observations of the Legal Advisers of the Home Office with a view to its amendment ; (5) That those of the suggested amendments adaptable to local procedure and circumstances were incorporated in an amended Bill or Projet de Loi which was

submitted to and approved by the States on the 18th September, 1929, when the President was authorized to submit the same to Your Majesty in Council for Your Royal Sanction; (6) That the amended Projet de Loi is intituled 'Loi relative à la Séparation de Mariés en Police Correctionnelle,' and is in the words and figures set forth in the Schedule to the said Petition. And humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the amended Bill or Projet de Loi of the States of Guernsey intituled 'Loi relative à la Séparation de Mariés en Police Correctionnelle,' and to order and direct that the same shall have the force of Law within the Island of Guernsey." 1930

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And His Majesty doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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LOI RELATIVE À LA SÉPARATION DE MARIÉS EN POLICE CORRECTIONNELLE.

Rappel de la Loi de 1890.

Est et demeure rappelée la loi relative à la séparation de mari et femme en Police Correctionnelle sanctionnée par Ordre de Sa Majesté en Conseil en date du 30 juin 1890 enregistré sur les Records de cette Ile le 12 juillet 1890 et y est substituée la loi qui ensuit rédigée en anglais.

Causes for which a married woman may apply for a separation order.

1.—Any married woman whose husband

(*a*) is a habitual drunkard, or

(*b*) has been convicted of an aggravated assault upon her, or

(*c*) has deserted her, or

(*d*) has been guilty of persistent cruelty to her or her children, or of continued wilful neglect to provide reasonable maintenance for her or her children whom he is legally liable to maintain, or

(*e*) while suffering from a venereal disease, and knowing that he was so suffering, has insisted on having sexual intercourse with her, or

(*f*) has compelled her to submit herself to prostitution (provided that where he has, in the opinion of the Court, been guilty of such conduct as was likely to result and has resulted in her submitting herself to prostitution, he shall, for the purpose of this subsection, be deemed to have compelled her so to submit herself)

may apply to the Court for an order, and the Court may make an order or orders containing all or any of the provisions following, viz. :—

Provisions of order.

(*a*) a provision that the applicant be no longer bound to cohabit with her husband (which provision while in force shall have the effect in all respects of a judicial separation (séparation de corps et biens) granted by the Royal Court) ;

(*b*) a provision that the legal custody of any children of the marriage between the applicant and her husband, while under the age of sixteen years, be committed to the applicant ; 930

(*c*) a provision that the husband shall pay to the applicant personally or, for her use or for the use of herself and such children, to a third person on her behalf, such weekly sum not exceeding two pounds as the Court shall, having regard to the means of both the husband and wife, consider reasonable.

Adultery by married woman.

2.—No order shall be made under this law on the application of a married woman if it shall be proved that such married woman has committed an act of adultery ; provided that the husband has not condoned, or connived at, or by his wilful neglect or misconduct conduced to such act of adultery.

Causes for which a married man may apply for a separation order.

3.—Where the wife of a married man is a habitual drunkard or has been guilty of persistent cruelty to his children, the married man shall be entitled to apply to the Court for an order under this law and on such application the Court may make one or more orders containing all or any of the provisions following, viz. :—

Provisions of order.

(*a*) a provision that the applicant be no longer bound to cohabit with his wife (which provision while in force shall have the force in all respects of a judicial separation (séparation de corps et biens) granted by the Royal Court) ;

(*b*) a provision for the legal custody of any children of the marriage ;

(*c*) a provision that the applicant shall pay to his wife personally, or for her use to any other person on her behalf, such weekly sum not exceeding two pounds as the Court shall, having regard to the means both of the applicant and his wife, consider reasonable.

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Neglect of married man to make payment under order of the Court.

4.—Where a married man fails or neglects to make payment of any sum of money directed to be paid by any order under this Law or under the Law hereby repealed, he may be produced before the Police Court and shall be liable to imprisonment not exceeding eight days with or without hard labour for each weekly sum which he shall have failed to pay. Such imprisonment shall not exceed three months.

No arrears to accrue during imprisonment.

Where a man is imprisoned under this article, then, unless the Court otherwise directs, no arrears shall accrue under such order during the time that he is in prison.

Court may vary, alter or discharge order.

5.—The Court may on the application of a married man or of a married woman, and upon cause being shown upon fresh evidence to the satisfaction of the Court at any time, alter, vary, or discharge any such order, and may upon any such application from time to time increase or diminish the amount of any weekly payment ordered to be made, so that the same do not in any case exceed the weekly sum of two pounds. The Court, before exercising jurisdiction under this Aritcle may consider the conduct of the parties or either of them since the date of such order.

ORDRES EN CONSEIL.

(*Enregistré sur les Records le 12 novembre* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of October, 1930.

PRESENT

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	HON. J. H. SCULLIN
LORD CHELMSFORD	HON. R. B. BENNETT
MR. SECRETARY ADAMSON	HON. G. W. FORBES
HON. SIR R. A. SQUIRES	

Loi relative à la Protection des Femmes et des Filles Mineures (Amendement) 1930.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 15th day of August, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That on the 21st day of June, 1930, the Royal Court adopted a Bill or Projet de Loi prepared by the Law Officers of the Crown, intituled ' Loi relative à la Protection des Femmes et des Filles Mineures (Amendement 1930),' and requested the Bailiff to submit the same to the States for their approval ; (2) That the said Bill or Projet de Loi was duly considered by the States on the 30th day of July, 1930, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey

1930 intituled ' Loi relative à la Protection des Femmes et des Filles Mineures (Amendement 1930),' and to order and direct that the same shall have force of Law within the Island of Guernsey.

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI RELATIVE À LA PROTECTION DES FEMMES ET DES FILLES MINEURES (AMENDEMENT 1930).

Attendu que l'article 3 de la Loi relative à la Protection des Femmes et des Filles Mineures sanc-

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tionnée par Ordre de Sa Majesté en Conseil enregistré sur les records de cette Ile le premier août 1914 contient l'alinéa suivant :

Pourvu toutefois que nulle poursuite en crime ne sera commencée pour une offense commise sous l'alinéa (*a*) de cet article après les six mois qui auront suivi l'offense.

Il est présentement statué que le mot " douze . . . " sera censé être substitué pour le mot " six " dans le dit alinéa afin que dorénavant le dit alinéa sera lu comme si le mot " douze " y fut écrit au lieu du mot " six."

Et viendra cette Loi en force le jour de l'enregistrement de l'Ordre de Sa Majesté en Conseil la sanctionnant.

(*Enregistré sur les Records le* 12 *novembre* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of October, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT	HON. J. H. SCULLIN
LORD CHELMSFORD	HON. R. B. BENNETT
MR. SECRETARY ADAMSON	HON. G. W. FORBES
HON. SIR R. A. SQUIRES	

Nouveau Cimetière—Paroisse de la Forêt.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2nd day of August, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of William Kilshaw, Clerk, Rector of the Parish of the Forest in the Island of Guernsey, and of Osmond Lenfestey Brehaut and Daniel James Nicolle, Constables of the said Parish of the Forest, dated the 18th July, 1930, setting forth :—Your

1930 Majesty is Patron of the living of the said Parish of the Forest in the Diocese of Winchester. The present Cemetery or Burying Ground is insufficient for the needs of the said Parish and that the want of a new Burial Ground or an extension of the existing one is necessary. In consequence thereof at a Meeting of the Ratepayers of the said parish held on the twenty-third day of January One thousand nine hundred and thirty the aforesaid Constables were authorised to purchase from Mr. Frederick James Bisson and wife a field called " Le Val-au-Febvre " situate bordering Le Chemin le Roi in the said parish of the Forest and measuring about two vergees thirty perches or thereabouts for the price of three hundred pounds sterling in addition to the rentes amounting to Two quarters three bushels two denerels and seven ninths of a denerel of wheat rente due on the said field, for the purpose of utilising the same as a new Parochial Cemetery. The Royal Court of the said Island did on the eighth day of March One thousand nine hundred and thirty grant permission to establish a Cemetery in the said field. At a further Parish Meeting held on the eleventh day of April One thousand nine hundred and thirty it was resolved, subject to the approval of the higher authorities, as follows :—(1) That only the western half of the said field should be utilised as a burial ground for the present, such portion to be divided off from the remainder by a wire fence and shrubs. (2) That the Cemetery shall be managed by a Committee composed of the Rector ex-officio, and six Ratepayers of the said parish who shall be elected for a term of three years and who shall elect their own President. (3) That the first Committee shall in addition to the Rector consist of Messieurs Osmond Lenfestey Brehaut, Frederick George Heaume, George Arthur Lucas, Theophile Le Messurier Allez, Clement Brouard and Thomas Le Messurier Mauger who shall hold office for three years at the end of

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which term the first two shall retire, the next two shall retire the following year and the last two the next year ; all retiring members shall be re-eligible. (4) That the Rector for the time being of the said parish shall be paid a fee of five shillings for every burial which he or his deputy shall perform in the Cemetery except in the case of persons buried in a pauper's grave and this in lieu of all fees and privileges and of the grass and other natural produce to arise from the said land. (5) That the control of all inscriptions on graves in the said Cemetery shall be vested in the said Committee. (6) That the Constables be authorised for and on behalf of the said Ratepayers to apply for a Faculty and for the consent of the Patron of the living for the passing of a legal Deed setting out the aforementioned Agreement. (7) That a Humble Petition be presented to the Right Reverend the Lord Bishop of the Diocese with a prayer that the said western half only of the said field be consecrated for the time being. On the fourteenth day of June One thousand nine hundred and thirty the Very Reverend Douglas Falkland Carey, M.A., D.S.O., Dean and Commissary of the said Island of Guernsey, granted to the said Rector of the said parish a License or Faculty for the passing of a legal Deed embodying and setting forth the terms of the aforesaid Agreement between himself and the said Constables. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction and Authority for the passing of a contract or Deed between the said Rector and the said Constables whereby the said Rector for himself and his Successors the Rectors of the said Parish should cede and make over to the said Constables for the said Parish all rights privileges and emoluments or revenues to the said Rector or to his Successors belonging or appertaining upon or by reason of the said burying ground in consideration of receiving a fee of five shillings for every burial

1930 which shall be performed by the said Rector or his Successors except in the case of persons buried in a pauper's grave.'

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the Petition of the Rector and Constables of the Parish of the Forest, Guernsey."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof, and to authorise the passing of a Contract or Deed between the Rector of the Parish of the Forest and the Constables of the said Parish whereby the said Rector for himself and his Successors the Rectors of the said Parish should cede and make over to the said Constables for the said Parish all rights, privileges, emoluments or revenues to the said Rector or to his Successors belonging or appertaining upon or by reason of the said burial ground in consideration of receiving a fee of five shillings for every burial which shall be performed by the said Rector or his Successors except in the case of persons buried in a pauper's grave.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

(*Enregistré sur les Records le* 18 *novembre* 1930). 1930

Berne Copyright Convention (Yugoslavia) Order, 1930.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 27 octobre 1930 transmettant des exemplaires d'un Ordre en Conseil intitulé " Order in Council of the 27th October, 1930, entitled ' The Berne Copyright Convention (Yugoslavia) Order, 1930.' "

La Cour, après avoir eu lecture du dit Ordre en Conseil communiqué, ouïes les conclusions du Contrôle du Roi, a ordonné :—

(1) Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette île.

(2) Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des records de cette île.

(3) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis sera expédié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(*Enregistré sur les Records le* **12** *novembre* 1930.)

Berne Copyright Convention (French Colonies and Protectorates) Order, 1930.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 27 octobre 1930, transmettant des exemplaires d'un Ordre en Conseil intitulé " Order in Council of the 27th October, 1930, entitled ' The Berne Copyright Convention (French Colonies and Protectorates) Order, 1930.' "

La Cour après avoir eu lecture du dit Ordre en Conseil communiqué, ouïes les conclusions du Contrôle du Roi, a ordonné :—

(1) Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette île.

(2) Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des Records de cette île.

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(3) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis sera expedié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

Enregistré sur les Records le 19 *novembre* 1930.)

The Copyright (Irish Free State) Order, 1930.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 27 octobre 1930, transmettant des exemplaires d'un Ordre en Conseil intitulé :—

Order in Council of the 27th October, 1930, entitled "The Copyright (Irish Free State) Order, 1930."

La Cour, après avoir eu lecture du dit Ordre en Conseil communiqué, ouïes les conclusions du Contrôle du Roi, a ordonné :—

(1) Que le dit Ordre en Conseil communiqué sera enregistré sur les Records de cette île.

(2) Qu'un exemplaire du dit Ordre en Conseil transmis sera logé au Greffe pour faire partie des Records de cette île.

(3) Qu'un extrait des Registres contenant ce présent Acte avec un exemplaire du dit Ordre en Conseil transmis sera expedié par le Greffier du Roi à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

(Enregistré sur les Records le 22 *novembre* 1930.*)*

Treaty of Peace (Hungary) (Amendment) Order, 1930.

Monsieur le Baillif ayant ce jour communiqué à la Cour un exemplaire imprimé d'un Ordre de Sa Majesté en Conseil en date du 27 octobre 1930, intitulé "Treaty of Peace (Hungary) (Amendment) Order, 1930."

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que le dit exemplaire sera logé au Greffe.

(*Enregistré sur les Records le 20 décembre 1930.*) 1930

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of November, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD PASSFIELD
LORD PRIVY SEAL — LORD COLEBROOKE

Cession de Droits de Communes aux Etats sur le Fief Blanchelande proche la Baie de Fermain pour la construction d'une cabane pour le service téléphonique.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 24th day of November, 1930, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the Telephone Council of the States of the Island of Guernsey, setting forth :—'That a scheme for the establishment of telephonic communication between this Island and England and between this Island and Jersey having been settled by negotiation between Your Majesty's Postmaster-General and the Island Authorities, the States of Deliberation of this Island at a sitting held on the 7th day of May, 1930, adopted the said scheme and voted the monies for the erection of structure and installation of apparatus and other expenses as required for giving effect to the said scheme. That in pursuance of the said scheme it is necessary to erect a hut fifteen feet in length by eleven feet in width near the coast of the said Island wherein the shore end of the telephone cable and also apparatus connected therewith shall be housed, and also to erect posts for the support of wires connected therewith. That the site selected for the said hut and posts is at Saints Bay, St. Martin's Parish in the said Island and is on land forming part of the Manor of Blanchelande and over which the inhabitants of the said parish have rights of common. That an agreement has been concluded with the Lord of the Manor of Blanchelande whereby

1930 his sanction for the said erections is granted. That on the 20th day of May, 1930, the inhabitants of the said parish of St. Martin's were duly convened by the Constables and Douzaine of the said parish to consider the matter of the proposed erections, and thereon the said Constables and Douzaine reported that no opposition had been offered thereto and that it was expedient that there should be a cession and relinquishment on behalf of the said inhabitants of their rights of common in favour of the States in respect of the areas to be appropriated for the erection of the said huts and posts, with a right of passage to and about the same. That on the 14th day of June, 1930, after publication of the necessary notices the Royal Court heard the said report which was adopted and ordered to be registered there being no opposition thereto. And most humbly praying that Your Majesty would be graciously pleased to order and direct that the Constables of the said parish shall and may execute such deeds in due form as may be necessary for assuring the cession and relinquishment in favour of the States by and on behalf of the said inhabitants of their rights of common over and upon the sites of the proposed hut and posts with right of access thereto at all times.'

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY having taken the said Report into consideration is pleased by and with the advice of His Privy Council, to approve thereof and to order and direct that the Constables of the said parish of St. Martin's shall and may execute such deeds in due form as may be necessary for assuring the cession and relinquishment in favour of the States of the Island of Guernsey by and on behalf of the inhabi-

tants of the said parish of their rights of common over and upon the sites of the proposed hut and posts with right of access thereto at all times. 1930

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

(*Enregistré sur les Records le* 20 *décembre* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of November, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT	LORD PASSFIELD
LORD PRIVY SEAL	LORD COLEBROOKE

Impôt de 3d. par gallon sur le cidre importé.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 7th day of November, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That at a meeting of the States of Deliberation held on the 7th day of May, 1930, the States Finance Committee reported that owing to an estimated deficit of £16,223 at the end of the current year, some means must be found to increase the revenue, and the said Committee submitted certain recommendations to that effect. (2) That the

1930 States on the aforementioned date passed a resolution approving, *inter alia*, subject to Your Majesty's Royal Sanction, an impôt of Threepence per gallon on imported cider. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the levy of an impôt or duty of Three pence per gallon on cider imported into the Island of Guernsey."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that an impôt or duty of Threepence per gallon be levied on cider imported into the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order shall have the force of Law within the Island of Guernsey, and that the same be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

(Enregistré sur les Records le 20 décembre 1930.) 1930

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of October, 1930.
PRESENT,
THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD PASSFIELD
LORD PRIVY SEAL — LORD COLEBROOKE

Loi supplémentaire à la Loi pour l'Entretien des Rues de la Paroisse de St. Pierre-Port et la Reconstitution du Comité des Voies Publiques de l'Ile et à la Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 8th day of November, 1930, in the words following, viz. :—

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 6th day of October, 1930, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled ' Loi supplémentaire à la Loi pour l'Entretien des Rues de la Paroisse de St. Pierre-Port et la Reconstitution du Comité des Voies Publiques de l'Ile et à la Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques,' and requested the Bailiff to submit the same to the States of Deliberation for their approval. (2) That on the 29th day of October, 1930, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition : And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled " Loi supplémentaire à la Loi pour l'Entretien des Rues de la Paroisse de St. Pierre-Port, et la Reconstitution du Comité des

1930 Voies Publiques de l'Ile et à la Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques," and to order and direct that the same shall have the force of Law within the Island of Guernsey."

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

"PROJET DE LOI" referred to in the foregoing Order in Council. 1930

LOI SUPPLÉMENTAIRE À LA LOI POUR L'ENTRETIEN DES RUES DE LA PAROISSE DE ST. PIERRE-PORT, ET LA RECONSTITUTION DU COMITÉ DES VOIES PUBLIQUES DE L'ILE ET À LA LOI SUPPLÉMENTAIRE À LA LOI RELATIVE À L'ENTRETIEN DES VOIES PUBLIQUES.

Rehaussement de la Taxe sur la valeur locative de 3d. à 4d. par livre sterling.

Vu la délibération des Etats en date du sept mai mil neuf cent trente approuvant le rehaussement de la Taxe sur la Valeur locative des propriétés immobilières pour l'Entretien des Voies Publiques de trois pennis à quatre pennis par livre sterling :

1.—Sont et demeurent rappelés les mots "trois pennis" qui se trouvent :—

(*a*) dans les Articles 3 et 6 de la Loi intitulée "Loi pour l'Entretien des Rues de la paroisse de Saint Pierre-Port, et la Reconstitution du Comité des Voies Publiques de l'Ile" sanctionnée par un Ordre de Sa Majesté en Conseil en date du 25 novembre 1919, enregistré sur les Records de cette Ile le 13 décembre 1919, et

(*b*) dans l'alinéa 1 de la Loi intitulée "Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques" sanctionnée par un Ordre de Sa Majesté en Conseil en date du 27 juin 1921, enregistré sur les Records de cette Ile le 16 juillet 1921,

et seront les mots "quatre pennis" substitués à leur place respectivement lesquels mots seront censés former partie des dits Articles 3 et 6, et du dit alinéa 1 des dites lois respectivement.

2.—Cette Loi ne préjudiciera en rien que ce soit le droit de recouvrir après son entrée en vigueur les arrérages restant alors impayés de la contribution et de la taxe visées par les susdites Lois au taux existant avant l'entrée en vigueur de cette présente loi.

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3.—Cette Loi viendra en force le premier janvier mil neuf cent trente et un.

(*Enregistré sur les Records le* 20 *décembre* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,

The 27th day of November, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD PASSFIELD

LORD PRIVY SEAL — LORD COLEBROOKE

Loi donnant effet à une Convention sur l'Exécution des Jugements Arbitraux et portant amendement à la Loi donnant effet à un Protocole sur l'Arbitrage du 20 juillet 1925.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of November, 1930, in the words following, viz. :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereto, the Royal Court on the 6th day of September, 1930, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, intituled 'Loi donnant effet à une Convention sur l'Exécution des Jugements Arbitraux et portant amendement à la Loi donnant effet à un Protocole sur l'Arbitrage, du 20 juillet, 1925,' and requested the Bailiff to submit the same to the States of Deliberation for their approval. ; (2) That on the 20th day of October, 1930, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously

pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled ' Loi donnant effet à une Convention sur l'Exécution des Jugements Arbitraux et portant amendement à la Loi donnant effet à un Protocole sur l'Arbitrage, du 20 juillet, 1925,' and to order and direct that the same shall have the force of Law within the Island of Guernsey. 1930

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And His Majesty doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

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" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI DONNANT EFFET À UNE CONVENTION SUR L'EXÉCUTION DES JUGEMENTS ARBITRAUX ET PORTANT AMENDEMENT À LA LOI DONNANT EFFET À UN PROTOCOLE SUR L'ARBITRAGE DU 20 JUILLET 1925.

TITRE I.

De la mise en force des Jugements Arbitraux Etrangers.

Attendu qu'une Convention Internationale dite " Convention on the Execution of Foreign Arbitral Awards " fut signée à Genève pour et au nom de Sa Majesté le vingt-six septembre mil neuf cent vingt sept, la dite Convention contenue dans la Cédule annexée à cette Loi :

Attendu aussi, qu'il est expédient de faire des dispositions législatives afin que l'opération de la dite Convention et cette Ile soit assurée.

Il est présentement statué, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, ainsi qu'il suit :—

1.—Les dispositions de ce Titre s'appliqueront à tout jugement arbitral fait après le vingt-huit juillet mil neuf cent vingt quatre :—

(*a*) en vertu d'un accord de soumission à l'arbitrage auquel s'applique le Protocole contenu dans la Cédule à la Loi donnant effet à un Protocole sur l'Arbitrage sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le 20 juillet 1925 ; et

TITRE II.

Amendement et Titre Abrégé.

7.—Le dernier alinéa de la Loi donnant effet à un

Protocole sur l'arbitrage sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le vingt juillet mil neuf cent vingt cinq aura l'effet qui y serait rendu si, après les mots " à moins qu'elle ne soit satisfaite que l'accord ou l'arbitration n'est plus en force ou ne peut procéder outre " y furent insérés les mots " ou que, en fait, il n'y a aucune dispute entre les parties par rapport à la matière visée par l'accord de soumission." 1930

8.—Cette loi pourra être citée sous le titre de " Loi ayant rapport aux Jugements Arbitraux Etrangers, 1930."

CEDULE.

Convention on the Execution of Foreign Arbitral Awards.

Article I.

In the territories of any High Contracting Party to which the present Convention applies, an arbitral award made in pursuance of an agreement whether relating to existing or future differences (hereinafter called " a submission to arbitration ") covered by the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, shall be recognized as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement, it shall, further, be necessary :—

(*a*) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto ;

(*b*) That the subject-matter of the award is capable of settlement by arbitration under the law

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of the country in which the award is sought to be relied upon ;

(*c*) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure ;

(*d*) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to *opposition*, *appel* or *pourvoi en Cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the award are pending ;

(*e*) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

ARTICLE II.

Even if the conditions laid down in Article I. hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied :—

(*a*) That the award has been annulled in the country in which it was made ;

(*b*) That the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case ; or that, being under a legal incapacity, he was not properly represented ;

(*c*) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal the competent authority of the country where recognition or enforcement of the award is sought can, if it think fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

ARTICLE III.

If the party against whom the award has been made proves that under the law governing arbitration procedure, there is a ground other than the grounds referred to in Article I (*a*) and (*c*), and Article II. (*b*) and (*c*), entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

ARTICLE IV.

The party relying upon an award or claiming its enforcement must supply, in particular :—

(1) The original award or a copy thereof duly authenticated, according to the requirements of the law of the country in which it was made ;

(2) Documentary or other evidence to prove that the award has become final, in the sense defined in Article I. (*d*), in the country in which it was made ;

(3) When necessary, documentary or other evidence to prove that the conditions laid down in Article I., paragraph 1 and paragraph 2 (*a*) and (*c*) have been fulfilled.

A translation of the award and of the other documents mentioned in this article into the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or

1930 consular agent of the country to which the party who seeks to rely upon the award belongs or by a sworn translator of the country where the award is sought to be relied upon.

(*b*) entre des personnes dont l'une est sujette à la juridiction d'une quelconque des Puissances que Sa Majesté, étant satisfaite que les provisions réciproques ont été faites, aura pu ou pourra déclarer par Ordre en Conseil être parties à la dite Convention, et dont l'autre personne est sujette à la juridiction d'une autre des susdites Puissances ; et

(*c*) dans un des territoires que Sa Majesté, étant satisfaite que des provisions réciproques ont été faites, aura pu ou pourra par Ordre en Conseil déclarer être territoires auxquels la dite Convention s'applique ;

et un jugement arbitral auquel s'applique ce Titre de cette Loi est dans cette Loi indiqué par l'expression " un jugement arbitral étranger."

2.—(1) Un Jugement arbitral étranger pourra, sujet aux dispositions de ce Titre, être mis en force dans l'Ile de Guernesey par une action intentée devant la Cour de première instance de la Cour Royale.

(2) Tout jugement arbitral étranger qui serait susceptible d'être mis en force sous les dispositions de ce Titre, sera censé lier à toutes fins les personnes entre lesquelles il fut fait, et telles personnes pourront en particulier s'en fonder en l'invoquant par voie de défense, compensation ou toutes poursuites judiciares en l'Ile de Guernesey, et toutes références dans ce Titre à la mise en force d'un jugement arbitral étranger seront censées comprendre références au droit de se fonder sur un jugement arbitral étranger.

3.—(1) Afin qu'un jugement arbitral étranger soit susceptible d'être mis en force sous les dispositions de ce Titre il faudra que tel jugement arbitral étranger :—

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(*a*) ait été fait en vertu d'un accord de soumission à l'arbitrage tel accord étant valable selon la loi sous l'empire de laquelle il fut fait ;

(*b*) ait été fait par le tribunal visé par l'accord de soumission ou constitué de telle manière que les parties auront pu s'accorder ;

(*c*) ait été fait conformément à la loi gouvernant la procédure de l'arbitrage ;

(*d*) soit devenu final dans le pays où il fut fait ;

(*e*) ait été fait à l'égard d'une manière que les lois et coutumes de Guernesey permettent d'être référé à l'arbitrage,

et que la mise en force de tel jugement arbitral étranger ne soit pas contraire soit à l'ordre public soit aux lois et coutumes de Guernesey.

(2) Sujet aux dispositions de cette sous-section la mise en force d'un jugement arbitral étranger n'aura lieu sous les dispositions de ce Titre si la Cour Royale aura constaté que :—

(*a*) le jugement arbitral a été annulé dans le pays où il fut fait ; ou,

(*b*) la partie contre laquelle on voudrait mettre en force le jugement arbitral n'était pas avertie du procès en arbitrage en temps suffisant pour la mettre à même de présenter sa cause, ou qu'elle était dans un état d'incapacité légale et n'était pas dûment représentée ; ou

(*c*) le jugement arbitral ne traite pas de toutes les questions référées, ou qu'il contient des décisions à l'égard de matières qui dépassent la visée de l'accord de soumission :

Pourvu que, dans le cas où le jugement arbitral ne traite pas de toutes les questions référées, la Cour pourra, si elle le juge convenable, soit ajourner la mise en force du jugement arbitral, soit ordonner qu'il soit mis en force à condition que caution soit fournie par la personne qui veut le mettre en force.

(3) Si la partie qui veut s'opposer à la mise en force d'un jugement arbitral étranger fait preuve qu'il y a

1930 raison autre que la non-existence des conditions spécifiées aux alinéas (*a*) (*b*) et (*c*) de la sous-section (1) de cette section, ou l'existence des conditions spécifiées aux alinéas (*b*) et (*c*) de la sous-section (2) de cette section qui l'autorise à contester la validité du jugement arbitral la Cour pourra, si elle le juge convenable, soit refuser de mettre en force le jugement arbitral, soit ajourner l'audition en attendant l'expiration de telle période qui dans l'opinion de la Cour sera raisonnablement suffisante afin de mettre telle partie à même de prendre les démarches nécessaires dans le but d'obtenir l'annulation du jugement arbitral par le tribunal compétent.

4.—(1) La partie qui voudra mettre en force un jugement arbitral étranger doit produire :—

(*a*) le jugement arbitral originel ou une copie d'icelui dûment authentiqué de la manière requise par la loi du pays où il fut fait; et

(*b*) l'évidence faisant preuve que le jugement arbitral est devenu final ; et

(*c*) telle évidence qui pourra être nécessaire à établir la preuve que le jugement arbitral est un jugement arbitral étranger et que les conditions mentionnées aux alinéas (*a*), (*b*) et (*c*) de la sous-section (1) de la section 3 précédente sont remplies.

(2) Dans tous les cas où un document dont la production est requise en vertu de la sous-section (1) de cette section est dans une langue étrangère, il sera du devoir de la partie qui veut mettre en force le jugement arbitral de produire une traduction certifiée vraie par un agent diplomatique ou consulaire du pays auquel telle partie appartient, ou certifiée vraie par toute autre manière qui sera trouvée suffisante selon les lois et coutumes de Guernesey.

5.—Dans l'intention des dispositions de ce Titre, un jugement arbitral ne sera pas censé final tant qu'il y a procès pendant dans le pays où il fut fait, mettant sa validité en contestation.

6.—Rien dans les dispositions de ce Titre :—

(*a*) ne portera atteinte aux droits qu'aurait eu toute personne soit de mettre en force en cette Ile un jugement arbitral soit de faire valoir en cette Ile un jugement arbitral, si les dispositions de ce Titre n'avaient pas été passées ; ni

(*b*) ne s'appliquera à un jugement arbitral fait en vertu d'un accord de soumission à l'arbitrage fait sous l'empire des lois et coutumes de cette Ile.

ARTICLE V.

The provisions of the above articles shall not deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

ARTICLE VI.

The present Convention applies only to arbitral awards made after the coming into force of the Protocol on Arbitration Clauses opened at Geneva on September 24th, 1923.

ARTICLE VII.

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified.

It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified.

Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

ARTICLE VIII.

The present Convention shall come into force three months after it shall have been ratified on behalf of two High Contracting Parties. Thereafter, it shall take effect, in the case of each High Contracting Party, three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

ARTICLE IX.

The present Convention may be denounced on behalf of any member of the League or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it.

The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations.

The denunciation of the Protocol on Arbitration Clauses shall entail, *ipso facto*, the denunciation of the present Convention.

ARTICLE X.

The present Convention does not apply to the Colonies, Protectorates or territories under suzerain or mandate of any High Contracting Party unless they are specially mentioned.

The application of this Convention to one or more of such Colonies, Protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, applies, can be effected at any time by means of a declaration ad-

dressed to the Secretary-General of the League of Nations by one of the High Contracting Parties. 1930

Such declaration shall take effect three months after the deposit thereof.

The High Contracting Parties can at any time denounce the Convention for all or any of the Colonies, Protectorates or territories referred to above. Article IX. hereof applies to such denunciation.

ARTICLE XI.

A certified copy of the present Convention shall be transmitted by the Secretary-General of the League of Nations to every Member of the League of Nations and to every non-Member State which signs the same.

(*Enregistré sur les Records le 20 décembre 1930.*)

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of November, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD PASSFIELD
LORD PRIVY SEAL — LORD COLEBROOKE

Taxe sur les passagers (autres que les habitants de l'île) atterrissant à Sercq.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the affairs of Guernsey and Jersey, dated the 20th day of November, 1930, in the words following, viz. :—

"YOUR MAJESTY, having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of Alexander C. Campbell, Député Seigneur, Frederick de Carteret, Sénéchal, and Alfred Baker, Prévôt, of the Island of Sark, setting forth :—

1. That on the 1st October, 1930, the Tenants and Deputies of the Chief Pleas assembled to consider the Estimate of Expenditure and Taxation of

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the Island for the year ending 30th September, 1931, as prepared by the Treasurer:

2. That the Estimate was submitted on the 30th October, 1930, to His Excellency the Lieutenant-Governor :
3. That the items as entered in the Estimate have received His Excellency's approval under the Order in Council of the 20th June, 1922;
4. That the General Expenditure may be met as heretofore from the monies received from the Impôt and Landing Tax :
5. That the tax of one shiling per head on passengers (other than the inhabitants of Sark) landing in the Island, the levy of which was authorised until 31st December, 1930, by Order in Council dated 17th December, 1929, be continued during the year 1931 ; and Your Petitioners humbly pray that Your Majesty would be graciously pleased to declare and order that the levy of One Shilling per head on passengers (other than the inhabitants of Sark) landing in the Island, be continued during the year 1931."

" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Yonr Majesty to comply with the prayer thereof."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof and to order, as it is hereby ordered, that the levy of One Shilling per head on passengers (other than the inhabitants of Sark) landing in the Island be continued during the year 1931.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Registers of the

Islands of Guernsey and Sark and be observed accordingly. 1930

And the Lieutenant-Governor or Commander-in Chief of the Bailiwick of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, of the said Bailiwick, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

COLIN SMITH.

(Enregistré sur les Records le 20 décembre 1930).

AT THE COURT AT BUCKINGHAM PALACE,
The 27th day of November, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD PASSFIELD
LORD PRIVY SEAL — LORD COLEBROOKE

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 21st day of November, 1930, in the words following, viz. :— Impôts (Auregny).

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney setting forth :—'That on the 5th day of November, 1929, Your Majesty was graciously pleased by Your Majesty's Order in Council to grant to the States of the Island of Alderney power to levy a duty of seven shillings and six pence per gallon on Spirituous Liquors and Liqueurs retailed and consumed in the Island : a duty of three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of one shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of five shillings per gallon on Wines named

1930 Champagne and Sparkling Wines retailed and consumed in the Island : a duty of three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of seven pence per gallon on all Beer imported, brewed and consumed in the Island : a duty of six pence per pound on all Tobacco : of one shilling and three pence per pound on all Cigars and of one shilling and four pence per pound on all Cigarettes consumed in the Island for the term of one year from the date of the registration of Your Majesty's said Order in Council on the Records of the said Island the proceeds of the said duties to be applied to the purposes and under the conditions as hereby follows :—

(*a*) Payment of One hundred Pounds sterling per annum in liquidation of the Public Debt : (*b*) Payment of One Hundred Pounds sterling per annum to the Commissioners of Crown Lands as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty Pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of expenses of Public Elementary Education beyond the Endowment : (*j*) Payment of the expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, cleaning and keeping in repair all Public tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty Pounds sterling per annum salary of the States Treasurer's Clerk : (*o*) Payment of Thirty Pounds sterling per annum

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salary of the States Inspector of Explosives : (*p*) Payment of Ten Pounds sterling per annum salary of the States Immigration Officer : (*q*) Payment of One Hundred Pounds sterling per annum in redemption of the loan sanctioned by Your Majesty's Order in Council of the 15th day of June, 1928, and to be subject to the following conditions :—(1) That an annual account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics accounts shall be submitted to annual audit each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt account shall be kept separate from other funds : (5) That the States shall be authorised from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly or indirectly with the Impôt.

" That Your Majesty's said Order in Council was registered on the Records of the Island of Alderney the fifth day of December, 1929.

" That at a Meeting of the States of the Island of Alderney holden before the Petitioner on the sixth day of November, 1930, the States were of opinion to renew for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the Island the Impôt on Wines, Spirits, Beer, Tobacco, Cigars and Cigarettes on the terms herein set forth, the proceeds of the said duties to be applied to the purposes and under the conditions set forth as under :—Impots on Spirituous Liquors and Liqueurs retailed and consumed in the Island seven and six pence per gallon : a duty of

1930 three shillings per gallon on Wines named Port and Sherry retailed and consumed in the Island : a duty of one shilling per gallon on Wine named Claret retailed and consumed in the Island : a duty of five shillings per gallon on Wines named Champagne and Sparkling Wines retailed and consumed in the Island: a duty of three shillings per gallon on all Cordials retailed and consumed in the Island : a duty of seven pence per gallon on all Beer, imported, brewed, and consumed in the Island : a duty of six pence per pound on all Tobacco, of one shilling and three pence per pound on all Cigars and of one shilling and four pence per pound on all Cigarettes consumed in the Island : the proceeds of the said duties to be applied to the purposes and under the conditions as hereby follows :—(*a*) Payment of One hundred pounds sterling per annum in liquidation of the Public Debt (if any) : (*b*) Payment of One Hundred Pounds sterling per annum to the Commissioners of Crown Lands as a contribution towards the Local Administration of the Island in accordance with the Order in Council of Her late Majesty Queen Victoria of the 4th July, 1895 : (*c*) Rent of Court House : (*d*) Repairs and maintenance of all Public Buildings : (*e*) Repairs and maintenance of all Public Roads : (*f*) New Public Works and Improvements : (*g*) Continuance of Sanitary Measures when recommended by the Sanitary Committee : (*h*) Payment of Fifty Pounds sterling per annum to Your Majesty's Procureur : (*i*) Payment of the expenses of Public Elementary Education beyond the Endowment : (*j*) Payment of expenses of Lighting the Town : (*k*) Payment of registration of all Public Documents, Printing, Postage, etc. : (*l*) Payment of Police expenses, Insurance of all Public Buildings, care of Fire Engines, cleaning and keeping in repair all Public tanks : (*m*) Payment of Impôt Receiver's Commission, duty refunded, special services : (*n*) Payment of Twenty Pounds sterling per annum salary of the States Treasurer's Clerk:

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(*o*) Payment of Thirty Pounds sterling per annum salary of the States Inspector of Explosives : (*p*) Payment of Ten Pounds sterling per annum salary of the States Immigration Officer : (*q*) Payment of One Hundred Pounds sterling per annum in redemption of the loan sanctioned by Your Majesty's Order in Council of the 15th day of June, 1928 : and to be subject to the following conditions :—(1) That an annual account of the receipts and expenditure of the Impôt shall be furnished to the Privy Council distinguishing the different items of expenditure : (2) That all finance connected with the Impôt and Local Besoins Publics accounts shall be submitted to annual audit each year by the Exchequer and Audit Department : (3) That no debt chargeable to the Impôt shall be incurred without the previous sanction of His Majesty in Council : (4) That the Impôt account shall be kept separately from other funds : (5) That the States shall be authorised from time to time to make such regulations for levying and collecting the said duties as shall be meet and proper : (6) That the Court of the Island of Alderney shall exercise as in the past the right to grant licences and to fix the fees thereof for all purposes connected directly and indirectly with the Impôt.

" That at the said Meeting of the States holden before the Petitioner on the 6th day of November, 1930, the Petitioner was authorised to present in the name of the States a most humble petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant to the States the power to levy the said duties for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the said Island. And most humbly praying Your Majesty to be graciously pleased to grant the States of Alderney power to levy the said duties for one year from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of the said Island.

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" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve thereof, and to order, as it is hereby ordered, that the States of the Island of Alderney be authorised for the term of one year from the date of registration of this Order of His Majesty in Council on the Records of the said Island to levy the duties specified in the said Petition upon the terms and conditions detailed therein.

AND HIS MAJESTY doth hereby further direct thaat this Order be entered upon the Register of the Islands of Guernsey and Alderney and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

COLIN SMITH.

(*Enregistré sur les Records le* 20 *décembre* 1930.)

AT THE COURT AT BUCKINGHAM PALACE,
The 18th day of December, 1930.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT — LORD SOUTHBOROUGH
LORD AMULREE — SIR FREDERICK PONSONBY

Loi donnant effet à un protocole sur l'Arbitrage (Auregny).

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of

the Committee of Council for the Affairs of Guernsey and Jersey, dated the 5th day of December, 1930, in the words following, viz :— 1930

" YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney, setting forth :— (1) That on the 1st day of June, 1926, Your Majesty was graciously pleased by Your Majesty's Order in Council to ratify a Projet de Loi intituled ' Loi donnant effet à un Protocole sur l'Arbitrage,' and to order the same to have force of Law within Your Majesty's Island of Alderney. (2) That an International Convention on the Execution of Foreign Arbitral Awards was signed for and on behalf of Your Majesty at Geneva on the 26th day of September, 1927. (3) That it is expedient, subject to Your Majesty's approval, that legislation be enacted to give effect to the said Convention in Your Majesty's Island of Alderney. (4) That an amendment be made to the said Law intituled ' Loi donnant effet à un Protocole sur l'Arbitrage.' (5) That at a Meeting of the States of the Island of Alderney holden before Your Petitioner on the 6th day of November. 1930, the States took into consideration the Projet de Loi intituled ' Loi donnant effet à une Convention sur l'exécution des Jugements Arbitraux et portant amendement à la loi donnant effet à un Protocole sur l'Arbitrage enregistré le 28 Juin 1926." (6) That the States approved the said Projet de Loi (a copy whereof is hereunto annexed), and authorised the Petitioner to present in the name of the States a most humble petition to Your Majesty, praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And humbly praying that Your Majesty would be graciously pleased to grant the said Projet de Loi Your Royal Sanction, and to order the same to have force of Law in Your Majesty's said Island of Alderney.

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" THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HIS MAJESTY, having taken the said Report into consideration, is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of law within the Island of Alderney.

AND HIS MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers for the time being, of the said Island of Guernsey, and also the Judge and Jurats of the said Island of Alderney, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

" PROJET DE LOI " referred to in the foregoing Order in Council.

LOI DONNANT EFFET À UNE CONVENTION SUR L'EXÉCUTION DES JUGEMENTS ARBITRAUX ET PORTANT AMENDEMENT À LA LOI DONNANT EFFET A UN PROTOCOLE SUR L'ARBITRAGE ENREGISTRÉ LE 28 JUIN, 1926.

TITRE I.

De la mise en force des Jugements Arbitraux Etrangers.

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Attendu qu'une Convention Internationale dit " Convention on the Execution of Foreign Arbitral Awards " fut signée à Genève, pour et au nom de sa Majesté, le vingt-six septembre mil neuf cent vingt sept, la dite Convention contenue dans la Cédule annexée à cette Loi :

Attendu aussi, qu'il est expédient de faire des dispositions législatives afin que l'opération de la dite Convention en cette Ile soit assurée :

Il est présentement statué, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, ainsi qu'il suit :

1.—Les dispositions de ce Titre s'appliqueront à tout jugement arbitral fait après le vingt huit juillet mil neuf cent vingt quatre :—

(*a*] En vertu d'un accord de soumisson à l'arbitrage auquel s'applique le protocole contenu dans la Cédule à la Loi donnant effet à un Protocole sur l'Arbitrage enregistré le 28 juin 1926 ; et

(*b*) Entre les personnes dont l'une est sujette à la juridiction d'une quelconques des Puissances que Sa Majesté, étant satisfaite que des provisions réciproques ont été faites, aura pu ou pourra déclarer par Ordre en Conseil être parties à la dite Convention, et dont l'autre personne est sujette à la juridiction d'une autre des susidtes Puissances ; et

(*c*) Dans un des territoires que Sa Majesté, étant satisfaite que des provisions réciproques ont été faites, aura pu ou pourra par Ordre en Conseil déclarer être territoires auxquels la dite Convention s'applique ;

et un jugement arbitral auquel s'applique ce Titre de cette Loi est dans cette Loi indiqué par l'expression " un jugement arbitral étranger."

2.—(1) Un jugement arbitral étranger pourra, sujet aux dispositions de ce Titre, être mis en force dans l'Ile d'Auregny, par une action intentée devant

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la Cour. (2) Tout jugement arbitral étranger qui serait susceptible d'être mis en force sous les dispositions de ce Titre, sera censé lier à toutes fins les personnes entre lesquelles il fut fait, et telles personnes pourront en particulier s'en fonder en invoquant par voie de défense, compensation ou autrement en toutes poursuites judiciaires en l'Ile d'Aurengy, et toutes références dans ce Titre à la mise en force d'un jugement arbitral étranger seront censées comprendre référence au droit de se fonder sur un jugement arbitral étranger.

3.—(1) Afin qu'un jugement arbitral étranger soit susceptible d'être mis en force sous les dispositions de ce Titre il faudra que tel jugement arbitral étranger

(*a*) Aura été fait en vertu d'un accord de soumission à l'arbitrage, tel accord étant valable selon la loi sous l'empire de laquelle il fut fait :

(*b*) Aura été fait par le tribunal visé l'accord de soumission ou constitué de telle manière ainsi que les parties auront pu accorder :

(*c*) Aura été fait conformément à la loi gouvernant la procédure de l'arbitrage :

(*d*) Sera devenu final dans le pays où il fut fait :

(*e*) Aura été fait à l'égard d'une matière que les lois et coutumes de l'Ile d'Auregny permettent d'être référée à l'arbitrage :

et que la mise en force de tel Jugement arbitral étranger ne soit pas contraire soit à l'ordre public soit aux lois et coutumes de l'Ile d'Auregny.

(2) Sujet aux dispositions de cette sous-section la mise en force d'un jugement arbitral étranger n'aura lieu sous les dispositions de ce Titre si la Cour qui est saisie de la matière aura constaté que :—

(*a*) Le jugement arbitral a été annullé dans le pays où il fut fait ; ou

(*b*) La partie contre laquelle on voudrait mettre en force le jugement arbitral n'était pas avertie du procès en arbitrage en temps suffisant pour

la mettre à même de présenter sa cause, ou qu'elle était dans un état d'incapacité légale et n'était pas dûment représentée ; ou

(*c*) Le jugement arbitral ne traite pas de toutes les questions référées, ou qu'il contient des décisions à l'égard de matières qui dépassent la visée de l'accord de soumission :

Pourvu que dans le cas que le jugement arbitral ne traite pas de toutes les questions référées, la Cour pourra, si elle le juge convenable, soit ajourner la mise en force du jugement arbitral, soit ordonner qu'il soit mis en force à condition que caution soit fournie par la personne qui veut le mettre en force, le tout ainsi que la Cour pourra déterminer.

(3) Si la partie qui voudra se résister à la mise en force d'un jugement arbitral étranger fait preuve qu'il y a raison autre que la non-existence des conditions spécifiées aux alinéas (*a*) (*b*) et (*c*) de la sous-section (1) de cette section, ou l'existence des conditions spécifiées aux alinéas (*b*) et (*c*) de la sous-section (2) de cette section, qui l'autorise à contester la validité du jugement arbitral, la Cour pourra, si elle le juge convenable, soit refuser de mettre en force le jugement arbitral, soit ajourner l'audition en attendant l'expiration de telle période qui dans l'opinion de la Cour sera raisonnablement suffisante de mettre telle partie à même de prendre les démarches nécessaires d'obtenir l'annulation du jugement arbitral par le tribunal compétent.

4.—(1) La partie qui voudra mettre en force un jugement arbitral étranger doit produire :—

(*a*) Le jugement arbitral original ou une copie d'icelui dûment authentiqué de la manière requise par la loi du pays où il fut fait ; et

(*b*) L'évidence faisant preuve que le jugement arbitral est devenu final ; et

(*c*) Telle évidence qui pourra être nécessaire à établir la preuve que le jugement arbitral est un jugement arbitral étranger et que les condi-

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tions mentionées aux alinéas (*a*), (*b*) et (*c*) de la sous-section (1) de la section 3 précédente sont remplies.

(2) Dans tous les cas où un document dont la production est requise en vertu de la sous-section (1) de cette section est dans une langue étrangère, il sera du devoir de la partie qui veut mettre en force le jugement arbitral de produire une traduction certifiée vraie par un agent diplomatique ou consulaire du pays auquel telle partie appartient, ou certifiée vraie par toute autre manière qui sera trouvée suffisante selon les lois et coutumes de l'Ile d'Auregny.

5.—Dans l'intention des dispositions de ce Titre, un jugement arbitral ne sera censé final tant qu'il y a un procès pendant dans le pays où il fut fait, mettant sa validité en contestation.

6.—Rien dans les dispositions de ce Titre :—

(*a*) Ne portera atteinte aux droits qu'aurait eu toute personne soit de mettre en force en cette ile un jugement arbitral soit de faire valoir en cette Ile un jugement arbitral, si les dispositions de ce Titre n'avaient pas été passées ;

(*b*) S'appliquera à un jugement arbitral fait en vertu d'un accord de soumission à l'arbitrage fait sous l'empire des lois et coutumes de cette Ile.

TITRE II.

AMENDEMENT ET TITRE ABRÉGÉ.

7.—Le dernier alinéa de la Loi donnant effet à un Protocole sur l'arbitration sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le vingt-huit Juin mil neuf cent vingt-six aura l'effet qui y serait rendu si, après les mois " à moins qu'elle ne soit satisfaite que l'accord ou l'arbitration n'est plus en force ou ne peut procéder outre " y furent insérés les mots " ou que, en fait, il n'y a aucune dispute entre les parties par rapport à la matière visée par l'accord de soumission."

8.—Cette Loi pourra être citée sous le Titre de "Loi ayant rapport aux Jugements Arbitraux Etrangers, 1930." 1930

CÉDULE.

CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS.

ARTICLE I.

In the territories of any High Contracting Party to which the present Convention applies, an arbitral award made in pursuance of an agreement, whether relating to existing or future differences (hereinafter called "a submission to arbitration") covered by the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, shall be recognized as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement it shall, further, be necessary :—

(*a*) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto.

(*b*) That the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon ;

(*c*) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure ;

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(*d*) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to opposition, appeal, or *pourvoi en cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the awards are pending.

(*e*) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

ARTICLE II.

Even if the conditions laid down in Article I. hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied :—

(*a*) That the award has been annulled in the country in which it was made ;

(*b*) That the party against whom it was sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case ; or that, being under a legal incapacity, he was not properly represented ;

(*c*) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matter beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it think fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

ARTICLE III.

If the party against whom the award has been made proves that, under the law governing arbitration procedure, there is a ground, other than the grounds referred to in Article I. (*a*) and (*c*), and Article II. (*b*) and (*c*) entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

ARTICLE IV.

The party relying upon an award or claiming its enforcement must supply in particular :—

(1) The original award or a copy thereof duly authenticated, according to the requirements of the country in which it was made ;

(2) Documentary or other evidence to prove that the award has become final, in the sense defined in Article I. (*d*), in the country in which it was made ;

(3) when necessary, documentary or other evidence to prove that the conditions laid down in Article I, paragraph 1, and paragraph 2 (*a*) and (*c*) have been fulfilled.

A translation of the award and of the other documents mentioned in this Article into the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or consular agent of the country to which the party who seeks to rely upon the award belongs or by a sworn translator of the country where the award is sought to be relied upon.

ARTICLE V.

The provisions of the above Articles shall not

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deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

ARTICLE VI.

The present Convention only applies to arbitral awards made after the coming into force of the Protocol on Arbitration Clauses opened at Geneva on September 24th, 1923.

ARTICLE VII.

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified.

It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified.

Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

ARTICLE VIII.

The present Convention shall come into force three months after it shall have been ratified on behalf of the High Contracting Parties. Thereafter, it shall take effect, in the case of each High Contracting Party, three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

ARTICLE IX.

The present Convention may be denounced on behalf of any Member of the League or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who

will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it. The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations.

The denunciation of the Protocol on Arbitration Clauses shall entail, *ipso facto*, the denunciation of the present Convention.

ARTICLE X.

The present Convention does not apply to the Colonies, Protectorates or territories under suzerainty or mandate of any High Contracting Party unless they are specially mentioned.

The application of this Convention to one or more of such Colonies, Protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, applies, can be effected at any time by means of a declaration addressed to the Secretary-General of the League of Nations by one of the High Contracting Parties.

Such declaration shall take effect three months after the deposit thereof.

The High Contracting Parties can at any time denounce the Convention for all or any of the Colonies, Protectorates or territories referred to above. Article IX. hereof applies to such denunciation.

ARTICLE XI.

A certified copy of the present Convention shall be transmitted by the Secretary-General of the League of Nations to every Member of the League of Nations and to every non-Member State which signs the same.

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ALDERNEY.

Translation of Law giving Effect to a Convention on the Execution of Arbitral Awards and Amending the Law giving Effect to a Protocol on Arbitration, registered the 28th June, 1926," *approved by His Majesty in Council the* 18th *December,* 1930.

PART I.

ENFORCEMENT OF FOREIGN ARBITRAL AWARDS.

Whereas an International Convention entitled " Convention on the Execution of Foreign Arbitral Awards " was, on the twenty-sixth day of September, Nineteen hundred and twenty-seven, signed at Geneva for and on behalf of His Majesty, which Convention is contained in the Schedule annexed to this Law :

Whereas it is also expedient to make legislative provisions to enable the said Convention to become operative in this Island :

It is hereby enacted as follows, subject to the Sanction of His Most Excellent Majesty in Council :

1.—The provisions of Part I. shall apply to every arbitral award made after the twenty-eighth day of July, nineteen hundred and twenty-four :—

(*a*) In pursuance of an agreement for arbitration to which the Protocol contained in the Schedule to the Law giving effect to a Protocol on Arbitration registered on the 28th June, 1926, applies ; and

(*b*) Between persons of whom one is subject to the jurisdiction of any one of the Powers which His Majesty, being satisfied that reciprocal provisions have been made, shall or may by Order in Council declare to be parties to the said Convention, and of whom the other person is subject to the jurisdiction of some other of the Powers aforesaid ; and

(*c*) In one of the territories which His Majesty, being satisfied that reciprocal provisions have been made, shall or may by Order in Council declare to be territories to which the said Convention applies ; 1930

and an arbitral award to which this Part of this Law applies is in this Law indicated by the expression " a foreign arbitral award."

2.—(1) A foreign arbitral award may, subject to the provisions of this Part, be put into force in the Island of Alderney by an action before the Court.

(2) Any foreign arbitral award which would be enforceable under the provisions of this Part shall be deemed as binding for all purposes on the persons between whom it was made, and may accordingly be relied on by any of those persons by way of defence, compensation or otherwise in all judicial proceedings in the Island of Alderney, and any references in this Part to enforcing a foreign arbitral award shall be deemed to include references to relying on a foreign arbitral award.

3.—(1) In order that a foreign arbitral award may be enforceable under the provisions of this Part, such foreign arbitral award must have :—

(*a*) been made in pursuance of an agreement for arbitration, such agreement being valid under the law by which it was governed ;

(*b*) been made by the tribunal provided for in the agreement or constituted in such manner as the parties shall have agreed upon ;

(*c*) been made in conformity with the law governing the arbitration procedure ;

(*d*) become final in the country in which it was made ;

(*e*) been in respect of a matter which the laws and customs of the Island of Alderney allow to be referred to arbitration ;

and the enforcement of such foreign arbitral award must not be contrary either to public policy or the laws and customs of the Island of Alderney.

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(2) Subject to the provisions of this subsection, a foreign arbitral award shall not be enforceable under the provisions of this Part if the Court dealing with the case shall have declared that :—

(*a*) the arbitral award has been annulled in the country in which it was made ; or

(*b*) the party against whom it is sought to enforce the arbitral award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case, or was under some legal incapacity and was not properly represented ; or

(*c*) the arbitral award does not deal with all the questions referred or contains decisions on matters beyond the scope of the agreement for arbitration :

Provided that, where the arbitral award does not deal with all the questions referred, the Court may, if it thinks fit, either postpone the enforcement of the arbitral award or order its enforcement on condition that security is furnished by the person seeking to enforce it, as the Court may think fit.

(3) If the party seeking to oppose the enforcement of a foreign arbitral award proves that there is any reason other than the non-existence of the conditions specified in paragraphs (*a*), (*b*) and (*c*) of subsection (1) of this section, or the existence of the conditions specified in paragraphs (*b*) and (*c*) of subsection (2) of this section, authorising him to contest the validity of the arbitral award, the Court may, if it thinks fit, either refuse to enforce the arbitral award or adjourn the hearing until after the expiration of such period as in the opinion of the Court shall be reasonably sufficient to enable such party to take the necessary steps to obtain the annulment of the arbitral award by the competent tribunal.

4.—(1) The party seeking to enforce a foreign arbitral award must produce :—

(*a*) the original arbitral award or a copy thereof

duly authenticated in the manner required by the law of the country in which it was made ; and

(*b*) evidence proving that the arbitral award has become final ; and

(*c*) such evidence as may be necessary to prove that the arbitral award is a foreign arbitral award and that the conditions mentioned in paragraphs (*a*), (*b*) and (*c*) of subsection (1) of the foregoing section 3 are fulfilled.

(2) In all cases where a document required to be produced under subsection (1) of this section is in a foreign language, it shall be the duty of the party seeking to enforce the arbitral award to produce a translation certified as correct by a diplomatic or consular agent of the country to which that party belongs, or certified as correct in any other manner as may be sufficient according to the laws and customs of the Island of Alderney.

5.—For the purposes of the provisions of this Part, an arbitral award shall not be deemed final if any proceedings for the purpose of contesting the validity of the award are pending in the country in which it was made.

6.—Nothing in the provisions of this Part shall :—

(*a*) prejudice any rights which any person would have had of enforcing in this Island an arbitral award or of availing himself in this Island of an arbitral award, if the provisions of this Part had not been passed ; or

(*b*) apply to an arbitral award made on an arbitration agreement under the laws and customs of this Island.

PART II.

AMENDMENT AND SHORT TITLE.

7.—The last paragraph of the Law giving effect to a Protocol on Arbitration sanctioned by an Order of

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His Majesty in Council registered the twenty-eighth day of June, nineteen hundred and twenty-six, shall have effect as if after the words "unless satisfied that the agreement or arbitration is no longer in force or cannot proceed" there were inserted the words "or that there is not in fact any dispute between the parties with regard to the matter agreed to be referred."

8.—This Law may be cited as the Law relating to Foreign Arbitral Awards, 1930.

SCHEDULE in English, *see* Order in Council.