

ORDERS IN COUNCIL

AND OTHER MATTERS OF GENERAL INTEREST
REGISTERED ON THE RECORDS OF THE
ISLAND OF GUERNSEY.

Compiled under the authority of the Royal Court

BY

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CROWN REVENUES—Jersey and Guernsey (Financial Provisions) Act, 1947	218
CURRENCY Restrictions and Travellers Exemptions (Guernsey) Orders	I, 135

D

DEFENCE (Finance) (Definition of Sterling Area) (Guernsey) Order, 1947	106
DEFINITION of Sterling Area (Guernsey) Order, 1947.	106
DOUZENIERS—Loi de 1947 portant amendement à la Loi concernant la qualification requise pour tenir certains Offices	137
DRIVING under the Influence of Drink or Drugs	364
DUTIES, etc.—Law authorising increases in the rates of certain	268
DUTY on Matches Law, 1947	106

E

ELIZABETH COLLEGE—Amended Statute 31	387
EMERGENCY LAWS (Miscellaneous Provisions) (Guernsey) Order in Council, 1947	209
ENEMY, Trading with the, (Custodian) Orders	20
ENTERTAINMENTS TAX—Law authorising increases in the rate of	268
EXCHANGE CONTROL—	
(Authorised Dealers) (No. 2) Order, 1947	207
(Authorised Dealers) Order, 1948	217
(Authorised Depositories) Order, 1947	177
(Authorised Depositories) Order, 1948	217
(Bailees Exemption) Order, 1947	177

(Blocked Accounts) Order, 1947	177
(Blocked Accounts) Order, 1948	287
(Branches) Order, 1947	177
(Channel Islands) Order, 1947	161
(Collectors' Pieces Exemption) Order, 1947	177
Commencement of 1947 Act	177
(Declarations and Evidence) Order, 1947	177
(Definition of Scheduled Territories) Order, 1947	177
(Definition of Scheduled Territories) (No. 2) Order 1947.	208
(Definition of Scheduled Territories) Order, 1948 ...	218
(Definition of Scheduled Territories) (No. 2) Order, 1948.	415
(Deposit of Securities) (Exemption) Order, 1947	177
Determination of Residence	177
Enforcement	176, 177
(Import and Export) Order, 1947	177
(Lending to Banks Exemption) Order, 1947	177
(Payments) Order, 1948	287
(Payments) (Chile) Order, 1948	287
(Payments) (China and Formosa) Order, 1948	217
(Payments) (Faroe Islands) Order, 1948	415
(Payments) (French Franc Area) Order, 1948	212
(Payments) (Italy, Republic of San Marino and Trieste) Order, 1948	416
(Payments) (Italy, Republic of San Marino, Vatican City and Trieste) Order, 1948	212
(Payments) (Japan) Order, 1948	217
(Payments) (Palestine) Order, 1948	218
(Payments) (Peru) Order, 1948	287
(Payments) (Poland) Order, 1948	237
(Payments) (Portuguese Monetary Area) Order, 1947.	208
(Payments) (Syria) Order, 1948	238

(Payments) (Tangier) Order, 1948	287
(Payments) (Transjordan) Order, 1948	218
(Payments) (Union of Soviet Socialist Republics) Order, 1948	212
(Payments) (Uruguay) Order, 1948	220
(Prescribed Courts) Order, 1947	176
(Prescribed Courts) (Scotland, Northern Ireland and the Isle of Man) Order, 1948	238
(Prescribed Securities) Order, 1947	177
(Special Provisions) Law, 1947	158
(Specified Currency) Order, 1947	177
(Specified Currency) Order, 1948	415
(Temporary Visitors' Exemption) Order, 1947	177
(Traders in Coin) Order, 1947	177
(Transfer from Custodian Exemption) Order, 1947.....	176
(Transitional Provisions) Order, 1947	176
(Transitional Provisions) (Channel Islands) Order, 1947.	177
(Transitional Provisions) (Channel Islands) (No. 2) Order, 1947	207
EXPIRING LAWS Continuance Act, 1946	41
„ „ „ „ , 1947	212

F

FAMILY ALLOWANCES Law, 1947	220
FINANCE—Borrowing (Control) (Bailiwick of Guernsey) Law, 1946	43
„ —(Definition of Sterling Area) (Guernsey) Order, 1947	106
„ —See also “Exchange Control”.	
FINANCIAL PROVISIONS Act, 1947 (Jersey and Guernsey)	219
FOREIGN MOTOR VEHICLES—Taxation of	254

G

GERMAN Enemy Assets—Agreement for settlement of Inter-Custodial Conflicts relating to	416
GERMAN Occupation Laws Repeal Laws	125, 260
GOODS AND SERVICES (Price Control) Law, 1948 ...	389
GREFFIER—James Ewald Le Page, Esq., sworn	252
GUERNSEY and Jersey (Financial Provisions) Act, 1947	218

H

HARBOUR DUES (St. Peter Port and St. Sampson) Law, 1947	95
HERM—Island of, Law (1946)	118
HOUSING Control (Emergency Provisions) (Guernsey) Law, 1948	262

I

IMPOTS, etc.—Law authorising increases in the rates of certain	268
IMPORT DUTIES Amendment Law (Bailiwick of Guern- sey) 1947	53
INCOME TAX (Amendment) Law, 1946.....	21
INCUMBENTS (Disability) Measure, 1945	182
„ (Discipline) Measure, 1947	182
INDUSTRIAL Disputes and Conditions of Employment Law (1947)	1
INTER-CUSTODIAL conflicts relating to German Enemy Assets—Agreement for settlement of	416
INTERPRETATION (Guernsey) Law, 1948	355
ISLAND OF HERM Law (1946)	118

J

JERSEY and Guernsey (Financial Provisions) Act, 1947	218
JUDICIAL Reform—Report of Privy Council Committee	32
JURAT—Resignation of J. A. Simon, Esq.....	56

L

LANDING TAX Law, 1948	242
LE PAGE, James Ewald, Esq., sworn H.M. Greffier ...	252
LE PREVOST, Percy—Warrant of Conditional Pardon	136
“ “ “ —Petition for leave to appeal dismissed	157
LIEUTENANT GOVERNOR—Title	284
“ “ (Salary and Official Expenses) Law, 1948	383

M

MATCHES—Duty on, 1947	106
MATRIMONIAL CAUSES Law (Guernsey) 1939, Amendment Law (No. 2) 1946	38
MOTOR VEHICLES—Taxation of Foreign	254
“ “ —Driving of, under the influence of Drink or Drugs	364

N

NON-CONTRIBUTORY PENSIONS—Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947	59
---------------------------------------------------------------------------------------------------------------	----

O

OCCUPATION LAWS Repeal Laws	125, 260
OFFICE of Lieutenant Governor of Guernsey (Salary and Official Expenses) Law, 1948	383
OFFICES—Loi de 1947 portant amendement à la Loi concernant la qualification requise pour tenir certains	137
OZANNE, James—Warrant of Conditional Pardon	124

P

PARDON, Warrant of Conditional (James Ozanne)	124
„ „ „ (Percy Le Prevost)...	136
PAROCHIAL OFFICES—Qualification for holding certain	137
PAROCHIAL TAXATION—Supplementary Law	351
PAYMENTS, Regulation of, (Guernsey) (General) Order, 1947	135
PEACE, Treaties of (Italy, Roumania, Bulgaria, Hungary and Finland) Act, 1947, and Orders	178, 237
PENSIONS, Contributory, Amendment Law, 1947	34
„ Contributory and Non-Contributory, Amendment Law, 1947	59
POLICE Salariée de l'Île de Guernesey—Loi supplémen- taire ayant rapport à la (1947)	128
POSTS and Telegraphs	271
<u>PRICE CONTROL</u>	389
PRIVY COUNCIL COMMITTEE—Report on proposed States and Judicial Reforms	32
PUBLIC HEALTH (Vermin) (Guernsey) Law, 1948.....	367

R

RACHAT DE RENTES—Loi relative au, (1947)	213
REFORM (Guernsey) Law, 1948	288
REGULATION OF PAYMENTS (Guernsey) (General) Order, 1947	135
RENT Control Law (Guernsey), 1946, Amendment Law, 1947	103
„ Control Law (Guernsey), 1946, Amendment Law, 1948	378
RENTAL VALUES, Tax on, for the years 1941—1946 inclusive	145
„ VALUES, Tax on—Law authorising increases in the rate of	268
RENTES—Loi relative au Rachat de, (1947)	213
ROAD TRAFFIC (Driving under the Influence of Drink or Drugs) Law, 1948	364
ROYAL COURT Reform—Report of Privy Council Committee	32

S

SALES TAX Laws (Repeal) Law, 1947	109
SAVINGS BANKS, Trustee—1947 Act	42
SEWERAGE (Guernsey) Law, 1948	339
SIMON, Jurat J. A.—Resignation	56
STAMP DUTIES—Law authorising increases in the rates of	268
STATES COMMITTEES (Amendment) Law, 1948	245
STATES REFORM, etc.—Report of Privy Council Committee	32
STATES REFORM—1948 Law	288
STATES WATER SUPPLY Law, 1947	179
STERLING AREA—Definition of	106
SUMMER TIME Act, 1947	42
„ „ Order, 1948	219

T

TAX ON ENTERTAINMENTS—Law authorising increases in the rates of	268
TAX ON THE RATEABLE VALUE of Real Property	348
TAX ON RENTAL VALUES for the years 1941–1946 inclusive	145
“ ” ” —Law authorising increases in the rate of	268
TAXATION OF FOREIGN MOTOR VEHICLES Law, 1947	254
TAXATION PAROISSIALE—Loi de 1948 supplémentaire à la Loi relative à la (1923)	351
TAXES, etc.—Law authorising increases in the rates of certain	268
TEACHERS' Superannuation	III, 256
TELEGRAPHS and Posts	271
TOURIST Law, 1948	329
TRACTORS—Tax on agricultural	345
TRADING with the Enemy (Custodian) Orders.....	20
TREATIES OF PEACE (Italy, Roumania, Bulgaria, Hungary and Finland) Act, 1947, and Orders	178, 237
TRUSTEE Savings Banks Act, 1947	42

V

VEHICULAR TRAFFIC—See “Motor Vehicles”.	
VERMIN	367
VOIES PUBLIQUES—Loi de 1948 portant amendement aux Lois relatives à l'Entretien des	348

W

WAR PROFITS LEVY (Guernsey) (Amendment) Law, 1947.....	140
WATER Supply Law, 1947	179

ALDERNEY

ACQUISITION of Improved Properties Law, 1947	147
ALDERNEY (Application of Legislation) Law, 1948 ...	448
CUSTOMS OFFICER at Airport—Salary	193
DUTIES (1947).....	115
,, increased	203
,, (1948)	239
ELECTRICITY Concession Law, 1948	275
EVICTION—Law giving to the Court increased power to stay execution in Actions for	195
GOVERNMENT of Alderney Law, 1948	416
IMPOT ACCOUNT—Transfer of £2,000 to Local Account.	191
IMPOTS (1947).....	115
,, increased	203
,, (1948).....	239
JUDGE—Sir Frank H. C. Wiltshire sworn	205
PRIVY COUNCIL COMMITTEE appointed to enquire into the state of Alderney	122, 134
STAMP DUTIES—Law amending the Schedule to the Law relating to	199

ORDERS IN COUNCIL.

(Registered on the Records on the 27th January, 1947.)

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de la Trésorerie en date du neuf janvier mil neuf cent quarante-sept intitulé "The Currency Restrictions and Travellers Exemptions (Guernsey) Order, 1947, Dated January 9, 1947, made by the Treasury under Regulations 2B and 3 of the Defence (Finance) (Guernsey) Regulations, 1945, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946", La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions du Procureur 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 avec un exemplaire du dit Ordre 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.

1947

Currency
Restrictions
and
Travellers
Exemptions
(Guernsey)
Order, 1947

(Registered on the Records on the 22nd February, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 29th day of January, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.

MR. SECRETARY BELLENCER.

MR. BEVAN.

MR. THOMSON.

MR. DAVIS.

MR. HALL.

MR. HENDERSON.

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 23rd day of January, 1947, in the words following, viz :—

The Industrial Disputes and Conditions of Employment Law (1947).

1947

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘1. That in accordance with a resolution of the States of Deliberation of the 3rd day of May, 1946, the Royal Court, on the 9th day of November, 1946, adopted a Bill or “Projet de Loi” entitled “The Industrial Disputes and Conditions of Employment Law (1947),” and requested the Bailiff to submit the same to the States for approval :
2. That on the 27th day of November, 1947, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same, with certain amendments, and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Industrial Disputes and Conditions of Employment Law (1947),” and to order and direct that the same should have 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.”

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE INDUSTRIAL DISPUTES AND
CONDITIONS OF EMPLOYMENT LAW,
(1947)”.

Arrangement of Articles.

PART I: INDUSTRIAL DISPUTES.

- | | | |
|---------|----|----------------------------------------------|
| Article | 1. | The Industrial Disputes Officer. |
| „ | 2. | The Industrial Disputes Tribunal. |
| „ | 3. | } Duties of the Industrial Disputes Officer. |
| „ | 4. | |
| „ | 5. | Notification of Disputes. |

1947

- Article 6. Duties of the Industrial Disputes Tribunal.
- „ 7. Powers of the Industrial Disputes Tribunal.
- „ 8. Proceedings before the Industrial Disputes Tribunal : Wrongful disclosure : Penalties.
- „ 9. Interpretation of Awards.
- „ 10. Expenses.
- „ 11. Records of the Industrial Disputes Tribunal.
- „ 12. Procedure and Costs before the Industrial Disputes Tribunal.
- „ 13. Illegal Lock-Outs and Strikes.

PART II : CONDITIONS OF EMPLOYMENT.

- Article 14. Decisions and awards of the Industrial Disputes Tribunal to be implied terms of contracts of employment.
- „ 15. } Recognised terms and conditions to be
- „ 16. } observed by employers.
- „ 17. Workmen of less than normal efficiency.
- „ 18. } Certain matters deemed to be industrial
- „ 19. } disputes.

PART III : GENERAL PROVISIONS.

- Article 20. Offences and Penalties.
- „ 21. Definition.
- „ 22. Operation and Duration.

SCHEDULE

Constitution of Industrial Disputes Tribunal

PROJET DE LOI

ENTITLED

“THE INDUSTRIAL DISPUTES AND
CONDITIONS OF EMPLOYMENT LAW,
(1947)”.

The States have approved the following provisions which, subject to the Sanction of His Most Excellent

Majesty in Council, shall have force of law in the
Island of Guernsey.

1947

PART I.

INDUSTRIAL DISPUTES.

1. *The Industrial Disputes Officer.*

There shall be appointed by the States, from among the members of the States, to hold office during such period as the States may direct, an officer to be known as "The Industrial Disputes Officer".

Until an appointment shall be made under the provisions of this Article, a person appointed Industrial Disputes Officer by resolution of the States before the commencement of this Law shall carry out the duties assigned to, and be invested with the powers granted to, the Industrial Disputes Officer by virtue of the provisions of this Law.

The Industrial Disputes Officer shall appoint a deputy, to be known as "The Deputy Industrial Disputes Officer". Such appointment shall be subject to the approval of the States.

The Deputy Industrial Disputes Officer shall, in the event of the Industrial Disputes Officer being unable to perform the duties assigned to him by this Law, be invested with the powers granted to the Industrial Disputes Officer by this Law, and shall carry out the said duties.

2. *The Industrial Disputes Tribunal.*

There shall be constituted as may become necessary from time to time a Tribunal to be known as "The Industrial Disputes Tribunal" (hereinafter referred to as "The Tribunal"). The Tribunal shall be constituted in the manner and for the period set out in the Schedule hereto.

1947

3. *Duties of the Industrial Disputes Officer.*

It shall be the duty of the Industrial Disputes Officer

- (a) to try to settle notified industrial disputes, whether actual or apprehended, by conciliation ;
- (b) failing settlement of a notified industrial dispute by conciliation, to try to bring about a settlement of the dispute by arbitration voluntarily submitted to by the parties concerned ;
- (c) failing settlement of a notified industrial dispute by either of the methods set out in sections (a) and (b) of this article, to refer the dispute to the Tribunal ;
- (d) to make such recommendations to the States as may be necessary.

4. The Industrial Disputes Officer shall, subject to the provisions of sections (a) and (b) of Article 3, within fourteen days after he has been notified of an industrial dispute, actual or apprehended, in the event of a settlement of such dispute not being arrived at, refer the dispute to the Tribunal unless :—

- (a) negotiations with a view to settlement by conciliation are in progress ; or
- (b) arbitration proceedings in respect of such dispute are in progress :

PROVIDED always that the Industrial Disputes Officer shall in no case delay referring to the tribunal a notified dispute as to which a settlement has not been arrived at beyond a period of three months after notification.

5. *Notification of Disputes.*

The decision of the Industrial Disputes Officer as to whether a dispute has been notified or not and as

to the time at which a dispute has been so notified shall be conclusive for all purposes.

1947

6. *Duties of the Industrial Disputes Tribunal.*

It shall be the duty of the Tribunal :—

- (a) to enquire into and make an award as to any dispute referred to it ;
- (b) to state its award in writing to the parties concerned without delay ;
- (c) to publish its award by public notice displayed in the Royal Court House for seven consecutive days within the twenty-eight days next following the making of the award.

7. *Powers of the Industrial Disputes Tribunal.*

The Tribunal shall be empowered

- (a) to compel the attendance of witnesses before it ;
- (b) to administer an oath to witnesses, to examine witnesses upon oath, and to compel the production by witnesses of documents and exhibits in their possession or under their control material to the matter referred;
- (c) to order that the whole or part of the costs incurred by any party to a dispute in the preparation or presentation of his case incidental to the hearing by the Tribunal of any matter referred to it under the provisions of this Law, (such costs being ascertained solely in accordance with the scales of fees laid down by virtue of the provision of Article 12 of this Law) shall be paid by one or more of the parties to such dispute or by the States of Guernsey in such proportions as the Tribunal may in its discretion deem just and reasonable ;

1947

- (d) to declare conclusively that its award shall take effect from any date either previous to or after the date of the making of such award, not being earlier than the date on which the question to which the award relates arose :—

PROVIDED that where the question to which the award relates is as to whether an employer is or was observing the recognized terms and conditions (as defined in Article 15) or is or was observing terms and conditions not less favourable than the recognized conditions (hereinafter referred to as “the appropriate conditions”) and the Tribunal is satisfied—

- (i) that the employer is not or was not observing the recognized terms and conditions or the appropriate conditions ; and
- (ii) that at some date before the date of the reference (to be specified in the award and hereinafter referred to as “the date of knowledge”) the employer was aware or ought to have been aware that those conditions should have been observed by him ;

the Tribunal shall be empowered to declare that the award shall take effect from the date of knowledge.

8. *Proceedings before the Industrial Disputes Tribunal: Wrongful Disclosure: Penalties.*
- (a) Unless the Tribunal shall declare itself to be unanimously of the opinion that the hearing, or some part of the hearing of any matter before it should be held in secret (in which case the Tribunal is empowered to exclude from its presence any person or persons

during the whole or part of such hearing) the hearing of every matter before the Tribunal shall be held publicly.

1947

- (b) No person shall disclose, save before the Tribunal or when otherwise by law compelled, to any other person or persons any matter which shall have come to his knowledge solely by reason of his being a member of the Tribunal, or by reason of his being permitted to be present during the hearing of any matter before the Tribunal in secret.
- (c) Should any person make a disclosure of the nature set out in section (b) of this article (save in the circumstances mentioned in that section) he shall be guilty of an offence, and shall on conviction
 - (i) be liable to a fine not exceeding fifty pounds ; and
 - (ii) if he shall be a member of the Tribunal be forthwith disqualified from being a member of that or any other Industrial Disputes Tribunal for ever.

9. *Interpretation of Awards.*

If any question arises as to the interpretation of any award of the Tribunal, the Industrial Disputes Officer or any party to the award may apply to the Tribunal for a decision on such question and the Tribunal shall decide the matter after hearing the parties, or without such hearing provided the consent of the parties has been previously obtained. The decision of the Tribunal shall be delivered in writing to the parties, and shall be binding in the same manner as an original award.

10. *Expenses.*

Any expenses of and incidental to the hearing and determination of any industrial dispute by the Tribunal, or incurred by the Industrial Disputes

1947

Officer, or by any person appointed by him by virtue of the provisions of paragraph 14 of the Schedule hereto, in performance of such duties as are or shall be assigned to them by virtue of the provisions of this Law, shall, subject to the provisions of section (c) of Article 7 of this Law, be borne by the States of Guernsey.

11. *Records.*

The States Supervisor shall preserve records of all proceedings before the Tribunal.

12. *Procedure and Costs before the Tribunal.*

The Royal Court shall by Ordinance lay down rules of procedure and scales of fees for enquiring into industrial disputes and for making awards and decisions by the Tribunal (including rules as to the method by and form in which references shall be made to the Tribunal under this Law).

13. *Illegal Lock-Outs and Strikes.*

An employer shall not declare or take part in a lock-out, and a worker shall not take part in a strike, in connection with any industrial dispute, and any such lock-out or strike shall be illegal, unless the dispute has been notified and fourteen days have elapsed since the notification and the Industrial Disputes Officer shall have failed to comply with the provisions of Article 4 hereof.

Any person contravening the provisions of this Article shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds or to imprisonment with or without hard labour for a term not exceeding one month, or to both such fine and imprisonment, or on conviction on indictment before the Royal Court to a fine not exceeding Two Hundred Pounds or to imprisonment with or without hard labour for a term not exceeding two years, or to both such fine and imprisonment.

PART II.

1947

CONDITIONS OF EMPLOYMENT.

14. *Decisions and Awards of the Industrial Disputes Tribunal to be Implied Terms of Contracts of Employment.*

Subject to the provisions of Article 17 of this Law any decision or award made by the Tribunal under the provisions of this Law shall be binding on the employers and workmen to whom the decision or award relates and, as from the date of such decision or award or as from such date as may be declared by the Tribunal to be the date from which such decision or award shall take effect, it shall be an implied term of the contract between the employers and workmen to whom the decision or award relates that the rate of wages to be paid and the conditions of employment to be observed under the contract shall be in accordance with such decision or award until varied by subsequent decision or award of the tribunal, or by an agreement, provision, order, rule or regulation of the nature specified in section (a), (b) or (d) of Article 16 or in Article 17 or by provision of law.

15. *Recognized Terms and Conditions to be observed by Employers.*

Where in any trade or industry terms and conditions of employment are established which have been settled by machinery of negotiation, arbitration or award to which the parties are organizations of employers and trade unions respectively of substantial proportions of the employers and workers engaged in that trade or industry in the island of Guernsey (hereinafter referred to as "recognized terms and conditions") all employers in that trade or industry shall observe the recognized terms and conditions or such terms and conditions of employment as are not less favourable than the recognized terms and conditions.

1947

16. For the purposes of Article 15, terms and conditions of employment shall not be deemed to be less favourable than the recognized terms and conditions if they are in accordance with the terms and conditions relating to workers engaged in similar work which are applicable under :—

- (a) any agreement to which the parties are organizations of employers and trade unions which are representative respectively of substantial proportions of the employers and workmen engaged or employed in the trade or industry in the island of Guernsey; or
- (b) in the absence of any such agreement as is mentioned in section (a) hereof, any agreement between the particular employer concerned and a trade union which is representative of a substantial proportion of workers employed in the island of Guernsey in the trade or industry in which the employer is engaged ; or
- (c) an award made by the Tribunal under the provisions of this law, or by any other body or person acting in the capacity of arbitrator relating to the terms and conditions of employment observable by an employer in the same trade or industry in the island of Guernsey ; or
- (d) any provision by Order in Council, Ordinance of the Royal Court, or any order, rule or regulation made thereunder relating to remuneration, rates of wages, hours or working conditions, unless those provisions are themselves less favourable than the provisions of any such agreement, decision or award as is mentioned in the foregoing provisions of this Article, being an agreement, decision or award relating to the particular employer concerned or any

employers' organization of which he is a member or to which such an employer or such an organization is a party.

1947

17. *Workmen of Less than Normal Efficiency.*

A contract of employment entered into between an employer and a workman who by reason of age or physical or mental infirmity is unable substantially to perform such duties as are normally carried out by workers employed in similar occupation in the island of Guernsey as efficiently or for such periods as such duties are normally carried out by such workers shall not for the purposes of this Law be deemed to be a contract for employment at terms less favourable to the workman than the recognized terms and conditions nor to be a contract at variance with the implied terms of the contract referred to in Article 14.

18. *Certain Matters deemed to be Industrial Disputes.*

If any question arises as to the nature, scope or effect of the recognized terms and conditions in any trade or industry or as to whether an employer is or was observing the recognized terms and conditions or is or was observing terms and conditions which are or were not less favourable than the recognized terms and conditions, that question shall be deemed to be an industrial dispute. Should such question be referred to the Tribunal for decision or award, the Tribunal shall have regard not only to the provisions of Article 16 of this Law, but also to any collective agreements concerning the terms and conditions of similar workers in comparable trades or industries in the Island of Guernsey.

19. Upon the employment of any person contrary to the provisions of Articles 14 or 15 of this Law, as qualified by Article 17 of this Law, an industrial dispute shall be deemed to have arisen.

PART III.

GENERAL PROVISIONS.

20. *Offences and Penalties.*

- (a) Any person wilfully giving false information to the Tribunal or to the Industrial Disputes Officer on any matter material to the Tribunal or to the Industrial Disputes Officer in the discharge of their duties shall be guilty of an offence and shall be liable on conviction to be imprisoned with or without hard labour for a term not exceeding six months or to a fine of £200 or to both such imprisonment and fine.
- (b) Any person failing to obey any summons to appear before it given by the Tribunal in pursuance of its powers under this Law or, when appearing as a witness before the Tribunal, refusing or failing to answer any question properly put or to produce any document or exhibit properly called for by the Tribunal shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Twenty Pounds.

21. *Definitions.*

In this Law the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, that is to say :—

“Island of Guernsey” means “Island of Guernsey and Island of Herm and the territorial waters of each”;

“Industrial Dispute” means any dispute or difference between an employer or employers and a workman or workmen, or between workman and workmen, connected with the employment or non-employment, or the terms or conditions of employment of any person;

1947

“ Lock-out ” means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him, in consequence of a dispute, done with a view to compelling those persons, or to aid another employer in compelling persons employed by him, to accept terms or conditions of or affecting employment ;

“ Notified ” means “ brought to the notice of the Industrial Disputes Officer in writing ”;

“ Organization ” means an organization representative of employers or an organization representative of workers as the case may be;

“ Strike ” means the cessation of work by a body of persons employed acting in combination, or a concerted refusal or a refusal under a common understanding of any number of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling their employer or any person or body of persons employed, or to aid other workmen in compelling their employer or any person or body of persons employed, to accept or not to accept terms or conditions of or affecting employment;

“ Trade or industry ” includes the performance of its functions by a public or local authority;

“ Workman ” means any person who has entered into or works under a contract with an employer, whether the contract be by way of manual labour, clerical work or otherwise, be express or implied, oral or in writing, and whether it be a contract of service or apprenticeship or a contract personally to execute any work or labour.

1947 22. *Operation.*

This Law shall come into force on the day on which it is registered on the records of the Island of Guernsey, and shall remain in force until the 31st December, 1948.*

THE SCHEDULE.

CONSTITUTION OF THE INDUSTRIAL
DISPUTES TRIBUNAL.

1. The Tribunal shall be constituted anew for each industrial dispute referred under the provisions of Articles 3 and 4 of this Law; such constitution shall be deemed to be for a period ending with the making of a final award in such dispute, or with the making of a decision of the nature specified in Article 9 of this Law.
2. The Tribunal, which shall not include the Industrial Disputes Officer or the Deputy Industrial Disputes Officer, shall consist of a chairman, two members (hereinafter referred to as "the independent members") to be nominated from a panel drawn up by the States Advisory Council and four members (hereinafter referred to as "the representative members") to be nominated from panels drawn up by the Industrial Disputes Officer.
3. The Chairman shall be appointed by the said Advisory Council, and may be a member of that Council.
4. The said Advisory Council shall draw up and at all times maintain a panel (hereinafter referred to as "the independent panel") of not less than six persons. Before referring any industrial

* Extended to the 31st December, 1950, by the Industrial Disputes and Conditions of Employment (Continuance) Law, 1948, and to the 31st December, 1952, by the Industrial Disputes and Conditions of Employment (Continuance) Law, 1950.

dispute to the Tribunal under the provisions of Articles 3 and 4 of this Law, the Industrial Disputes Officer shall by notice in writing request such two persons as in his opinion represent generally the interests of the parties to the dispute each to nominate after consultation with those persons whose interests they represent a person from the said panel to be an independent member of the Tribunal, and such persons shall upon nomination be independent members of the Tribunal.

5. The Industrial Disputes Officer shall, after consultation with organizations in the Island of Guernsey of employers and workmen respectively draw up and at all times maintain two separate panels of persons who in his opinion represent generally the interests of employers and workmen respectively in the island of Guernsey.

Each of the said panels shall contain the names of not less than ten persons, and are hereinafter referred to as "the employers' panel" and "the workmen's panel" respectively.

Neither of the said panels shall contain the name of any person whose name is contained in the independent panel.

Before referring any dispute to the Tribunal under the provisions of Articles 3 and 4 of this Law, the Industrial Disputes Officer shall by notice in writing request such two persons as in his opinion represent generally the interests of the parties to the dispute each to nominate, after consultation with those persons whose interests they represent, two persons from the said panels to be representative members of the Tribunal and such persons shall upon nomination be representative members of the Tribunal.

1947

6. Should any nomination referred to in paragraphs 4 and 5 of the schedule not have been made within seven days from the despatch of the notices referred to in the said paragraphs, the Industrial Disputes Officer shall so notify the said Advisory Council, and thereupon such nomination shall be made by the said Advisory Council ; upon such nomination the person so nominated shall be an independent or representative member of the Tribunal as the case may be.

PROVIDED that the said Advisory Council shall in nominating a representative member to represent the interest of an employer or employers in the dispute nominate some person from the employers' panel, and in nominating a representative member to represent the interests of a workman or workmen in the dispute shall nominate some person from the workmen's panel.

7. Each member of the Tribunal shall, subject to the provisions of paragraph 10 of the Schedule, be entitled to vote. The Chairman shall be entitled to vote only in the event of the votes of the members being equally divided, in which event he shall have a casting vote.
8. Should the chairman become permanently, or for a period of time which is unreasonably long, unable to preside, a new chairman shall at the request of the Industrial Disputes Officer be appointed, and the hearing shall begin anew.
9. Should any member of the Tribunal other than the Chairman be permanently, or for a period of time which is, in the opinion of the Chairman, unreasonably long, unable to sit on the Tribunal, the Industrial Disputes Officer shall at the request of the Chairman cause the person or persons or the Advisory Council who nominated

1947

such member to nominate a substitute for such member, and such substitute shall upon such nomination be a member of the Tribunal; the hearing shall thereupon continue unless in the opinion of the Chairman it is necessary in the interest of justice that the hearing should start anew, in which case the hearing shall start anew.

10. Should an independent member be unable to vote the other independent member shall abstain from voting; should a member nominated from the employers' panel be unable to vote, a member nominated from the workmen's panel shall abstain from voting, and should a member nominated from the workmen's panel be unable to vote, a member nominated from the employers' panel shall abstain from voting. In the absence of agreement as to which of two representative members shall abstain from voting the matter shall be decided by lot.
11. The quorum necessary to constitute a sitting of the Tribunal shall consist of the Chairman, two independent members, one representative member nominated to represent the interests of employers and one representative member nominated to represent the interests of workmen.
12. The States Advisory Council and the Industrial Disputes Officer respectively shall cause copies of the panel and panels referred to in paragraphs 4 and 5 of this Schedule to be deposited in the Greffe, where they shall be open to inspection by the public free of charge.
13. The Industrial Disputes Officer shall cause the panel and panels referred to in paragraphs 4 and 5 of this Schedule to be published in the

1947

Official Gazette on one occasion in the month of January in each year.

14. The Industrial Disputes Officer shall appoint a permanent secretary to the Tribunal, and may appoint such other officers and servants to the Tribunal as he may consider necessary.

(Registered on the Records on the 8th March, 1947.)

Trading
with the
Enemy
(Custodian)
Orders.

The Bailiff having this day placed before the Court four Board of Trade Orders entitled respectively :—

The Trading with the Enemy (Custodian) (No. 2) Order, 1945;

The Trading with the Enemy (Custodian) Order, 1946;

The Trading with the Ememy (Custodian) (Specified Persons) Order, 1946;

The Trading with the Enemy (Custodian) (No. 2) Order, 1946;

The Court, having heard His Majesty's Comptroller, ordered that the said Orders be registered on the Records of this Island by being filed at the Greffe and that an Extract of this Act of Court together with a copy of each of the said Orders be sent to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 8th March, 1947.)

1947

AT THE COURT AT BUCKINGHAM PALACE,

The 29th day of January, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.

MR. SECRETARY BELLENGER.

MR. BEVAN.

MR. THOMSON.

MR. DAVIES.

MR. HALL.

MR. HENDERSON.

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 23rd day of January, 1947, in the words following, viz :—

The Income
Tax
(Amend-
ment) Law,
1946.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That in accordance with a Resolution of the States of Deliberation of the 17th day of September, 1946, the Royal Court, on the 26th day of October, 1946, adopted a Bill or “ *Projet de Loi* ” entitled “ *The Income Tax (Amendment) Law, 1946,* ” and requested the Bailiff to submit the same to the States for approval : 2.—That on the 13th day of November, 1946, the said Bill or “ *Projet de Loi* ” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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

1947

that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Income Tax (Amendment) Law, 1946", and to order and direct that the same should have 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.

E. C. E. LEADBITTER.

PROJET DE LOI referred to in the foregoing
Order in Council

1947

PROJET DE LOI

ENTITLED

* " THE INCOME TAX (AMENDMENT) LAW,
1946."

Pursuant to the Resolution of the States dated the
17th September, 1946 :

The States have approved the following provisions
which subject to the Sanction of His Most Excellent
Majesty in Council, shall have force of law in this
Island :—

1. The Law entitled " Loi ayant rapport à la
Tax sur le Revenu " registered on the Records of
this Island on the 10th day of January, 1920, as
subsequently amended, (the said Law so amended
hereinafter called " the Principal Law ") shall be
modified in manner following :—

(i) At the end of Article 1 thereof there shall **Deportees.**
be inserted the following proviso :—

" Provided that any person who—

(a) was deported, either compulsorily or
voluntarily from the Island of Guernsey
to the Continent of Europe during the
occupation of the Island by the German
Forces ; and

(b) returned to the Island before the 1st
day of January, 1946, or, having re-
turned later, shall be regarded by the
Administrator of Income Tax as a
person on whom exceptional hardship
would be inflicted were he not granted
the option hereinafter in this proviso
set out

* Repealed by the Income Tax (Guernsey) Law, 1950.

1947

shall, by notice in writing delivered to the Administrator of Income Tax before the 1st day of January, 1948, be entitled to elect whether, for the purposes of the Income Tax Laws, 1920 to 1946, he shall be regarded as having stayed consecutively in the Island from the time of such deportation until the time of such return, or as having been absent from the Island throughout the said period. Such option shall be exercisable, in like manner, in the case of the death of any such person, by his legal personal representative and, in the case of any such person not being sui juris, by his duly appointed guardian."

- (ii) At the end of Article 14 thereof the following proviso shall be inserted :—

" Provided that an allowance shall be claimable by an individual who is a non-resident and who—

(a) is a British subject, or

(b) ordinarily resides in the United Kingdom or in any of the Channel Islands other than Guernsey

in respect of profits or income arising or accruing during the year 1940 and thereafter from sources in or connected with Guernsey, and the amount of such allowance shall be the amount by which the tax charged or chargeable but for such relief exceeds the portion attributable to Guernsey income of the tax (inclusive of sur-tax) which would be chargeable on total income from all sources were such individual an ordinary resident. Such allowance or allowances shall be claimable only by notice in writing which shall reach the Administrator of Income Tax—

Allowance
claimable
by non-
resident.

- (i) as regards claims in respect of income arising or accruing during the years of assessment 1940 to 1946, both years inclusive, on or before the 31st December, 1947 ;
- (ii) as regards claims in respect of income arising or accruing in any year of assessment subsequent to the year 1946, within one year from the date of the issue of notice of assessment of such income."

1947

2. This Law shall be construed as one with the Income Tax Laws, 1920 to 1944, and the Income Tax Laws 1920 to 1944 and this Law may be cited together as "The Income Tax Laws, 1920 to 1946".

Citation.

(Registered on the Records on the 19th March, 1947.)

AT THE COURT OF ST. JAMES,

The 17th day of March, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

VISCOUNT ADDISON.

MR. TOM WILLIAMS.

WHEREAS by subsection (1) of section fifty-five of the Civil Aviation Act, 1946, (a) it is provided that His Majesty may by Order in Council direct that any of the provisions of the said Act, except subsection (3) of section thirty-nine thereof, shall extend, with such exceptions, modifications and adaptations, if any, as may be specified in the Order, to any of the Channel Islands or to the Isle of Man :

The Civil Aviation Act (Extension to the Channel Islands) Order, 1947.

(a) 9 & 10 Geo. 6. c. 70.

1947

AND WHEREAS it is expedient that the provisions of the Civil Aviation Act, 1946, specified in Article 1 of this Order shall extend to the Channel Islands with the exceptions, modifications and adaptations specified in the Schedule hereto :

AND WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness the Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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 :

NOW, THEREFORE, His Royal Highness the Duke of Gloucester and Viscount Lascelles, being authorised thereto by the said Letters Patent and in pursuance of the powers conferred upon His Majesty by the Civil Aviation Act, 1946, do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf direct, and it is hereby directed, as follows :

1. The following provisions of the Civil Aviation Act, 1946, that is to say :—

- Subsections (1) and (2) of section six ;
- Subsection (4) of section fourteen ;
- Section twenty-three ;
- Section twenty-four ;
- Subsections (5) and (6) of section twenty-six ;
- Subsection (1) of section thirty-nine ;

Section forty ;
Section forty-five ;
Subsection (2) of section forty-seven ;
Section fifty-one

shall extend to the Channel Islands with, in the case of the sections specified in the first column of the Schedule hereto, the exceptions, modifications and adaptations specified in relation thereto in the second column of the Schedule hereto.

2. In this Order

- (a) the expression " the Channel Islands " means Jersey and Guernsey, and references to Jersey and Guernsey include references to the whole Bailiwicks of Jersey and Guernsey respectively and to the territorial waters adjacent thereto ;
- (b) the expression " the three corporations " means the British European Airways Corporation, the British South American Airways Corporation and the British Overseas Airways Corporation ;
- (c) the expression " the insular authority " means,
 - (i) in relation to Jersey, the States and
 - (ii) in relation to Guernsey, the authority in whom is vested the right to make Ordinances.

3. This Order may be cited as the Civil Aviation Act (Extension to the Channel Islands) Order, 1947.

E. C. E. LEADBITTER.

1947

SCHEDULE.

*Provisions
applied.*

*Exceptions, modifications and
adaptations.*

Section 23 (a) In subsection (1) for the words "the United Kingdom" there shall be substituted the words "the Channel Islands" and at the end there shall be added the following proviso—

"Provided that nothing in this subsection shall apply to any scheduled journey between two places both of which are in the Channel Islands".

(b) After subsection (1) there shall be inserted the following new subsection—

"(1A) The three Corporations, their associates and the servants and agents of the three Corporations and their associates shall have the right, notwithstanding the provisions of any Order in Council made under section five of the Air Navigation Act, 1936, (which relates to the licensing of air transport and commercial flying) as extended to the Channel Islands, to carry passengers or goods by air for hire or reward upon any scheduled journey between two places both of which are in the Channel Islands".

1947

<i>Provisions applied.</i>	<i>Exceptions, modifications and adaptations</i>
	(c) In subsection (4) after the words " the United Kingdom ", where they occur for the first time, there shall be added the words " and the Channel Islands ".
	(d) In subsection (5) for paragraphs (a) and (b) there shall be substituted the words— " on conviction thereof to a fine not exceeding five thousand pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment ".
Section 24	(a) In subsection (1) for the words " the Minister " there shall be substituted the words " the Bailiff " and for the words " the United Kingdom " there shall be substituted the words " the Channel Islands ".
	(b) In subsection (2) the word " summary " shall be omitted.
Section 26	For subsection (5) there shall be substituted the following subsection : " (5) The Minister may acquire by agreement land and any right in or in relation to land ".
Section 39	For subsection (1) there shall be substituted the following subsection— " (1) Without prejudice to the general duties imposed by any enactment or otherwise it shall be the duty of the Insular

1947

<i>Provisions applied.</i>	<i>Exceptions, modifications and adaptations</i>
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Authority to make such arrangements as it thinks necessary

(a) for preventing danger to public health from aircraft arriving in the Island ; and

(b) for preventing the spread of infection by means of any aircraft leaving the Island so far as may be necessary or expedient for the purpose of carrying out any treaty, convention, arrangement or engagement with any country ”.

Section 40 For the word “ Minister ” there shall be substituted the word “ States ” and for the words “ he is ” and “ him ” there shall be substituted the words “ they are ” and “ them ” respectively.

Section 45 For Section 45 there shall be substituted the following Section—

“ 45. The Insular Authority shall make provision for securing the safe custody and redelivery of any property which, while not in proper custody, is found on any premises belonging to the States or under their control or on any premises occupied by any of the three Corporations or in any aircraft on any such premises ; and any such provision may in particular

1947

<i>Provisions applied.</i>	<i>Exceptions, modifications and adaptations.</i>
----------------------------	---------------------------------------------------

- (a) provide for requiring charges to be paid in respect of any such property before it is redelivered ; and
- (b) provide for authorising the disposal of any such property if it is not redelivered before the expiration of such period as may be specified ”.

Section 51 (a) In subsection (1) the expressions “appropriate Minister”, “financial year”, “local authority”, “owner”, “remuneration”, “revenue” and “statutory undertaker” shall be omitted.

(b) Subsection (2) shall be omitted.

(Registered on the Records on 22nd March, 1947.)

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant Gouverneur en date du 21 mars 1947 transmettant des exemplaires de Lettres Patentes en date du 28 janvier 1947 ayant référence à la nomination de Conseillers d'Etat pour la transaction des affaires d'Etat pendant l'absence du Royaume Uni de Sa Majesté le Roi—La Cour, ouies les conclusions du Procureur du Roi, a ordonné qu'un des dits exemplaires sera logé au Greffe et qu'un extrait des Registres de ce présent Acte avec un des dits exemplaires seront transmis à Monsieur le Juge d'Auregny et à Monsieur le Sénéchal de Sercq.

Counsellors
of State.

1947

(Registered on the Records on the 29th March, 1947.)

AT THE COURT OF ST. JAMES.

The 17th day of March, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

VISCOUNT ADDISON.

MR. TOM WILLIAMS.

Report of
Privy Coun-
cil Com-
mittee on
proposed
reforms in
the Channel
Islands.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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 by an Act dated the 14th day of March, 1946, the States of Jersey charged their President to transmit to the Lieutenant Governor an Act and Report of the States relating to reform of the States of Jersey in order that the pleasure of His Majesty might be ascertained on the reforms therein envisaged:

AND WHEREAS the States of Guernsey, by Resolutions dated the 23rd day of January, 1946, adopted proposals relating to the reform of the States of Guernsey which Resolutions were transmitted in order that the pleasure of His Majesty might be ascertained on the reforms therein envisaged:

1947

AND WHEREAS proposals in relation to Judicial Reform have been under review by the Royal Court and the States both in Jersey and in Guernsey :

AND WHEREAS His Majesty deemed it expedient that a Committee of His Privy Council should inquire into the proposed reforms in the constitution and procedure of the States of Jersey and of Guernsey and into the proposed judicial reform, and advise thereon, and was pleased, by Order in Council dated the 4th day of June, 1946, to appoint The Viscount Samuel, G.C.B., G.B.E., The Lord Ammon, The Right Honourable James Chuter Ede (Chairman), The Right Honourable Richard Austen Butler and the Right Honourable Sir John Beaumont, to be a Committee of the Privy Council for the purposes of the said inquiry :

AND WHEREAS the said Committee, having completed their inquiries, have reported to His Majesty in Council their findings and conclusions :

AND WHEREAS the said report was this day read at the Board :

NOW, THEREFORE, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorised thereto by the said Letters Patent, have taken the said Report into consideration and have noted the recommendations and suggestions contained therein, and do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf, order, and it is hereby ordered, that the said Report be published and transmitted to be registered and published in the Islands of Jersey and of Guernsey.

AND the Right Honourable James Chuter Ede, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

E. C. E. LEADBITTER.

1947

(Registered on the Records on the 29th March, 1947.)

AT THE COURT OF ST. JAMES.

The 10th day of March, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.
 VISCOUNT LASCELLES.
 LORD PRIVY SEAL.
 LORD PETHICK-LAWRENCE.
 VISCOUNT MOUNTBATTEN OF BURMA.
 MR. SECRETARY CREECH-JONES.
 MR. SECRETARY NOEL-BAKER.

The Contributory Pensions Law, 1935, Amendment Law, 1947.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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 26th day of February, 1947, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1.—That in accordance with a resolution of the States of Deliberation of the 21st day of

1947

August, 1946, the Royal Court, at a sitting held on the 16th day of November, 1946, adopted a Bill or "Projet de Loi" entitled "The Contributory Pensions Law, 1935, Amendment Law, 1947," and requested the Bailiff to submit the same to the States for approval. 2.—That at a sitting of the States held on the 27th day of December, 1946, the said Bill or "Projet de Loi" was duly considered, when a resolution was passed approving the same with amendments and authorising the Bailiff 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 entitled "The Contributory Pensions Law, 1935, Amendment Law, 1947", and to order and direct that the same shall have force of Law in the Islands of Guernsey, Herm and Jethou.'

"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 Gloucester and Viscount Lascelles, being authorised thereto by the said Letters Patent, 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 Islands of Guernsey, Herm and Jethou.

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order in Council.

PROJET DE LOI

ENTITLED

“THE CONTRIBUTORY PENSIONS LAW, 1935,
AMENDMENT LAW, 1947”.

The States have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the islands of Guernsey, Herm and Jethou.

1.—The Contributory Pensions Law, 1935, (hereinafter referred to as “the principal Law”) shall have effect henceforth subject to the following modifications:—

- (1) The figures “£6” shall be substituted for the figures “£4” in the definition of the expression “Worker” contained in Article I of the principal Law.
- (2) The figures “£6” shall be substituted for the figures “£4” in Article VII and Article VIII of the principal Law.
- (3) The word “workers” shall be substituted for the words “compulsory contributors” wherever the latter words appear in paragraph (b) of section 2 of Article III of the principal Law.

Amend-
ments to
Law.

2.—If any person who, having previously been a compulsorily insured worker under the principal Law, shall have ceased, after the 13th day of April, 1946, to be a worker solely by reason of the fact that his usual earnings, though not exceeding £6 per week, have exceeded the weekly amount which was, immediately prior to the date on which this Law comes into force, prescribed in the definition of the expression “worker” contained in the principal Law, shall pay to the Administrator within forty days after the date on which this Law comes into force, a sum equal to the unpaid amount of the contributions which would have been payable by him had he become a voluntary contributor immediately upon such cessation (or, if he shall have so ceased on more than one occasion, upon the first occasion of cessation) and had thereafter, (save as respects any periods during which he again became a compulsorily insured worker) remained a voluntary contributor until the time of the making of the said payment to the Administrator, such person shall be deemed to have been an insured person continuously from the time of such cessation or first cessation, as the case may be, until the time of the making of the said payment to the Administrator.

1947

 Persons who
 ceased to be
 “workers”.

Nothing in this section shall be construed as limiting the obligation of the States to pay, in accordance with the provisions of sub-section (d) of section 2 of Article V of the principal Law, the States' contributions in respect of any such person still entitled to become a voluntary contributor under the provisions of sub-section (b) of section 2 of Article III of the principal Law during the time in which he is entitled to become a voluntary contributor.

3.—This Law shall come into force on the day of its registration on the records of the Island of Guernsey and shall be construed as one with the principal Law.

Commence-
 ment.

4.—The Contributory Pensions Laws, 1935 to 1938, the Contributory Pensions (Emergency Provisions)

Citation.

1947

Law, Guernsey, 1939, the Contributory Pensions Law, 1935, Amendment Law, 1945, and this Law may be cited together as "The Contributory Pensions Laws, 1935 to 1947".

(Registered on the Records on the 29th March, 1947.)

AT THE COURT OF ST. JAMES.

The 10th day of March, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

LORD PETHICK-LAWRENCE.

VISCOUNT MOUNTBATTEN OF BURMA.

MR. SECRETARY CREECH-JONES.

MR. SECRETARY NOEL-BAKER.

The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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 8th day of February, 1947, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the

humble Petition of the States of the Island of Guernsey, setting forth:—

1947

‘ 1.—That the Royal Court, at a sitting held on the 12th day of October, 1946, adopted a Bill or “Projet de Loi” entitled “The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946,” and requested the Bailiff to submit the same to the States of Deliberation for approval: 2.—That at a sitting of the States held on the 27th day of December, 1946, the said Bill or “Projet de Loi” was duly considered, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 3.—That the Judge of the Island of Alderney, as respects that Island, the States of that Island not being constituted at the present time, concurs in the terms of the said Bill. 4.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Matrimonial Causes Law (Guernsey) 1939, Amendment Law (No. 2), 1946,” and to order and direct that the same shall have force of Law in the Bailiwick of 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 Gloucester and Viscount Lascelles, being

1947

authorized thereto by the said Letters Patent, 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 Bailiwick of 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

"THE MATRIMONIAL CAUSES LAW (GUERNSEY) 1939, AMENDMENT LAW (NO. 2), 1946".

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

Where, during the period commencing on the 30th day of June, 1940, and ending on the 1st day of January, 1942, the circumstances were such that a decree of divorce or for judicial separation might have been pronounced by the Court, on one or other of the grounds mentioned in paragraph (f) of Section (1) of Article 16 of the Matrimonial Causes Law (Guernsey), 1939, had that

1947

Law been in operation during that period, then, notwithstanding that the petition is presented later than ten years after the date of the sentence referred to in that paragraph and in the proviso thereto and that at the time of the pronouncement of the decree or of the presentation of the petition the respondent is no longer undergoing penal servitude or imprisonment or in confinement as a criminal lunatic, the provisions of that paragraph and of that proviso shall be deemed to have been sufficiently complied with so far as regards a petition for divorce presented before the 1st day of January, 1948, and the Court may pronounce a decree of divorce or for judicial separation accordingly.

(Registered on the Records on the 14th April, 1947.)

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du dix mars mil neuf cent quarante-sept transmettant des exemplaires de l'Acte du Parlement suivant :—

Expiring
Laws Con-
tinuance
Act, 1946.

10 & 11 Geo. 6, Chapter 1, "The Expiring Laws Continuance Act, 1946".

La Cour, après avoir eu lecture du dit Ordre, ouies les conclusions du Procureur du Roi, a ordonné :—

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

1. 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 de ce présent Acte avec un exemplaire du dit Acte du Parlement sera expédié 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.

1947

(Registered on the Records on the 23rd April, 1947.)

Trustee
Savings
Banks Act,
1947.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 10 mars 1947 transmettant des exemplaires de l'Acte du Parlement suivant :—

“ Trustee Savings Banks Act, 1947 ” (10 and 11 George VI, Chap. 6).

La Cour, après avoir eu lecture du dit Ordre, ouies les conclusions du Procureur 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 de ce présent Acte avec un exemplaire du dit Acte du Parlement sera expédié 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.

(Registered on the Records on the 23rd April, 1947.)

Summer
Time Act,
1947.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 17 mars 1947 transmettant des exemplaires de l'Acte du Parlement suivant :—

10 and 11 George 6, Chapter 16, “ The Summer Time Act, 1947.”

La Cour, après avoir eu lecture du dit Ordre, ouies les conclusions du Procureur 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.

1947

3. Qu'un extrait des Registres de ce présent Acte avec un exemplaire du dit Act du Parlement sera expédié 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.

(Registered on the Records on the 10th May, 1947.)

AT THE COURT OF SAINT JAMES.

The 23rd day of April, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

EARL OF LISTOWEL.

MR. GREENWOOD.

LORD COOPER.

MR. PALING.

LORD MONCRIEFF.

SIR FREDERIC WROTTESELEY.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 to 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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:

Borrowing
(Control)
(Bailiwick
of Guernsey)
Law, 1946.

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

1947

of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 3rd day of April, 1947, in the words following, viz. :—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1. That on the 23rd day of November, 1946, the Royal Court adopted a Bill or “Projet de Loi” entitled “Borrowing (Control) (Bailiwick of Guernsey) Law, 1946,” and requested the Bailiff to submit the same to the States of Deliberation for approval: 2. That at an adjourned sitting of the States held on the 13th day of December, 1946, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 3. That the Judge of the Island of Alderney, as respects that Island, the States of that Island not being constituted at the present time, concurs in the terms of the said Bill: 4. 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “Borrowing (Control) (Bailiwick of Guernsey) Law, 1946,” and to order and direct that the same shall have force of Law in the Bailiwick 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.”

1947

NOW, THEREFORE, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorized thereto by the said Letters Patent, 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 Bailiwick of 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

BORROWING (CONTROL) (BAILIWICK OF
GUERNSEY) LAW, 1946.

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

1947

 Certain
 transactions
 to be regu-
 lated by
 Ordinance.

1. (1) The Royal Court may by Ordinance provide for regulating, subject to such exemptions as may be specified in the Ordinance, all or any of the following transactions, that is to say—

- (a) the borrowing of money in the Bailiwick of Guernsey where the aggregate of the amount of money borrowed under the transaction and of any other amounts so borrowed by the same person in the previous twelve months (including any period before the passing of this law) exceeds ten thousand pounds ;
- (b) the raising of money in the Bailiwick of Guernsey by the issue, whether in that Bailiwick or elsewhere, by any body corporate, of any shares in that body corporate ;
- (c) the issue for any purposes—
 - (i) by any body corporate of any shares in or debentures or other securities of that body corporate, if either the body corporate is incorporated under the law of any part of the Bailiwick of Guernsey or the shares, debentures or other securities are or are to be registered in any part of that Bailiwick ; or
 - (ii) by any Government, other than His Majesty's Government in the United Kingdom, or the States of Guernsey, the States of Alderney, or the Chief Pleas of Sark, of any securities of that Government which are to be registered in any part of the Bailiwick of Guernsey ;
- (d) the circulation in any part of the Bailiwick of Guernsey of any offer for subscription, sale or exchange of—
 - (i) any shares in or debentures or other securities of any body corporate not incorporated under the law of any part of the Bailiwick of Guernsey ; or

- (ii) any securities of any Government, other than His Majesty's Government in the United Kingdom or the States of Guernsey, the States of Alderney or the Chief Pleas of Sark :

1947

PROVIDED that paragraph (a) of this subsection shall not apply to the borrowing of money by any person in the ordinary course of his business from a person carrying on a banking undertaking.

(2) The provisions of this Section shall apply in relation to units under a unit trust scheme as they apply in relation to shares in a body corporate, but as if—

- (a) any reference to the issue of shares in a body corporate by that body corporate were a reference to an issue of units for the purposes of the scheme ; and
- (b) any reference to shares in a body corporate incorporated, or not incorporated, under the law of any part of the Bailiwick of Guernsey were a reference to units issued under a scheme governed, or not governed, by the law of any part of the Bailiwick of Guernsey.

(3) The provisions of the Schedule to this law shall have effect in relation to Ordinances made under this Section but the rights of the persons concerned in any transaction shall not be affected by the fact that the transaction was in contravention of any such Ordinances.

2. (1) In this law, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say:—

Definitions,
etc.

“ Issue ” includes reissue ;

“ registered ”, in relation to any security, includes inscribed ;

“ registered in any part of the Bailiwick of Guernsey ” means in relation to securities, registered in

1947

a register in the Bailiwick of Guernsey, and “ a register ”, in relation to securities, includes any book in which securities are registered ;

“ security ” includes shares, bonds, notes, debentures, debenture stock and units under a unit trust scheme ;

“ share ” includes stock and any perpetual debenture or perpetual debenture stock ;

“ unit trust scheme ” means any arrangement made for the purpose, or having the effect, of providing facilities for the participation by persons, as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property whatsoever ;

“ unit ” means, in relation to a unit trust scheme, any right or interest, (described whether as a unit or otherwise) which may be acquired under the scheme, being a right or interest created or issued for the purpose of raising money for the purposes of the scheme or a right or interest created or issued in substitution (whether directly or indirectly) for any right or interest so created or issued.

(2) Any reference in this law to the borrowing of money—

(a) includes a reference to the making of any arrangement by which a sum which would otherwise be payable at any date is payable at a later date, and includes in particular the making of any arrangement by which the whole or any part of the price of any property is allowed to remain unpaid either for a fixed period or indefinitely, but

(b) does not include a reference to the acceptance by a person carrying on a banking undertaking of moneys to be placed to the credit of a current or deposit account.

1947

(3) Any person shall be deemed for the purposes of this law to borrow or raise money in the Bailiwick of Guernsey if the money is made available in any part of that Bailiwick, or, in any such case as is mentioned in subsection (2) of this section, if the money would, but for the arrangement in question, have been payable in any part of the Bailiwick of Guernsey, and without prejudice to the preceding provisions of this subsection, a person shall also be deemed for the purpose of this law to borrow money in the Bailiwick of Guernsey if the money is borrowed on the security of property in any part of that Bailiwick.

(4) An arrangement to provide any guarantee, or to mortgage or charge any property, to secure the repayment of any sum borrowed before the arrangement is made, being a sum which is already due when the arrangement is made or which is payable not later than six months, or such longer or shorter period as may be prescribed by Ordinance, after the arrangement is made, shall be deemed for the purposes of the two last preceding subsections to be an arrangement by which that sum is payable at a date later than it would otherwise have been payable.

(5) A sum which, at the time of, or by virtue of, the making of any arrangement, is payable on demand or on the expiration of a fixed period after demand shall be deemed for the purposes of the three last preceding subsections to be payable at the time of the making of the arrangement, or, as the case may be, on the expiration of the fixed period after the making of the arrangement, notwithstanding that no demand has been made.

SCHEDULE.

PROVISIONS AS TO ENFORCEMENT AND PENALTIES.

1. Any person who contravenes any provision of any Ordinance made under this Law shall be liable—

1947

- (a) on summary conviction to imprisonment for not more than three months or to a fine not exceeding five hundred pounds or to both such imprisonment and such fine ; or
- (b) on conviction on indictment to imprisonment for not more than two years or to a fine not exceeding whichever is the highest of the following amounts—
 - (i) five hundred pounds ; or
 - (ii) the amount of any money borrowed or raised by the transaction in question ; or
 - (iii) the nominal or market value, whichever is the greater, of any securities to the issue, sale or other disposal of which (whether actual or projected) the transaction in question relates,or to both such imprisonment and such fine.

2. (1) The States Supervisor may give to any person directions requiring him, within such time and in such manner as may be specified in the directions, to furnish to him, or to any person designated in the directions as a person authorised to require it, any information in his possession or control which may be required for the purpose of securing compliance with, or detecting evasion of, any Ordinance made under this Law :

Provided that if a person required to give any information under this paragraph objects to the giving thereof on the ground that it might tend to incriminate him, he shall not be bound to give that information.

Nothing in this sub-paragraph shall be taken to require any person who is acting as counsel, solicitor, advocate or scrivain for any person to disclose any privileged communication made to him in that capacity.

1947

(2) The States Supervisor may give to any person directions requiring him, within such time and in such manner as may be specified in the directions, to produce such books, accounts or other documents (hereinafter referred to as "documents") in his possession or control as may be required for the purpose of securing compliance with, or detecting evasion of, any Ordinance made under this Law, and any documents produced by a person in compliance with any such requirements may be given in evidence against him notwithstanding that they may tend to incriminate him.

Nothing in this sub-paragraph shall be taken to require any person who has acted as counsel, solicitor, advocate or scrivain for any person to disclose any privileged communication made to him in that capacity.

(3) If the Bailiff is satisfied by information on oath given by or with the authority of the States Supervisor that there is reasonable ground for suspecting that there are at any premises any documents which a person ought to have produced under the last preceding sub-paragraph but has failed or refused to produce, he may grant a search warrant authorising any officer of police, together with any other persons named in the warrant and any other officers of police, to enter the premises specified in the information (using such force as is reasonably necessary for the purpose) at any time within one month of the date of the warrant, and to search the premises and take possession of any documents appearing to be such documents as aforesaid or to take in relation thereto any other steps which may appear necessary for preserving them and preventing interference therewith.

In sub-paragraphs (1) (2) and (3) of this paragraph the expression "States Supervisor" means the States Supervisor in Guernsey and includes the States Assistant Supervisor; and in sub-paragraph (3) of this

1947

paragraph the expression " Bailiff " includes a Deputy Bailiff, a Lieutenant Bailiff or a Juge Délégué, as the case may be and, as regards the Island of Alderney, the Judge of Alderney.

(4) Any person who—

- (a) fails or refuses to comply with any requirement to furnish information or produce documents imposed on him by or under this paragraph ; or
- (b) with intent to evade the provisions of this paragraph or of any Ordinance made under this Law destroys, mutilates, defaces, secretes or removes any documents ; or
- (c) obstructs any person exercising any powers conferred on him by or under this paragraph,

shall be liable on summary conviction to imprisonment for not more than three months or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine.

3. Where an offence under this Law has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

4. Any fine recovered under this Law shall be paid as to one-half thereof to His Majesty and as to the other half to the States of Guernsey.

Provided, however, that where an offence arises in the Island of Alderney or in the Island of Sark the

States shall, upon recovery of such fines as may be imposed, be deemed to have recovered one-half of that fine on behalf of the Island where that offence arose.

1947

(Registered on the Records on the 10th May, 1947.)

AT THE COURT OF SAINT JAMES.

The 23rd day of April, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

EARL OF LISTOWEL.

MR. GREENWOOD.

LORD COOPER.

MR. PALING.

LORD MONCRIEFF.

SIR FREDERIC WROTTESEY.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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:

The Import
Duties
Amend-
ment Law
(Bailiwick
of Guernsey)
1947.

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 11th day of April, 1947, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the

1947

humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That in accordance with a resolution of the States of the Island of Guernsey of the 13th day of November, 1946, the Royal Court, on the 23rd day of November, 1946, adopted a Bill or “Projet de Loi” entitled “The Import Duties Amendment Law (Bailiwick of Guernsey) 1947,” and requested the Bailiff to submit the same to the States of Deliberation for approval:

‘ 2.—That at an adjourned sitting of the States held on the 13th day of December, 1946, the said Bill or “Projet de Loi” was duly considered, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto:

‘ 3.—That the Judge of the Island of Alderney, as respects that Island, the States of that Island not being constituted at the present time, and the Chief Pleas of the Island of Sark, concur in the terms of the said Bill.

‘ 4.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Import Duties Amendment Law (Bailiwick of Guernsey) 1947,” and to order and direct that the same shall have force of Law in the Bailiwick of 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.”

1947

NOW, THEREFORE, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorized thereto by the said Letters Patent, 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 Bailiwick of 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

THE IMPORT DUTIES AMENDMENT LAW
(BAILIWICK OF GUERNSEY) 1947.

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

1947
British
Empire
goods.

1. The Import Duties Act (Bailiwick of Guernsey), 1932, shall be amended by the substitution, in sub-section (a) of section 2 thereof, of the words "or elsewhere in the British Empire" for the words "or of which the like goods grown, produced or manufactured elsewhere in the British Empire are readily available to the inhabitants of the Bailiwick."

Citation.

2. The Import Duties Acts (Bailiwick of Guernsey), 1932 and 1934 and this Law may be cited together as the Import Duties Laws (Bailiwick of Guernsey), 1932 to 1947.

(Registered on the Records on the 17th May, 1947.)

AT THE COURT OF SAINT JAMES,

The 23rd day of April, 1947.

PRESENT,

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

VISCOUNT LASCELLES.

LORD PRIVY SEAL.

EARL OF LISTOWEL.

MR. GREENWOOD.

LORD COOPER.

MR. PALING.

LORD MONCRIEFF.

SIR FREDERIC WROTTESELEY.

Resigna-
tion of Jurat
J. A. Simon.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom 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:

1947

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 15th day of April, 1947, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1. That Jean Allés Simon, Esquire, after having at a meeting of the States of Election of Your Majesty’s Island of Guernsey held on the 21st day of January, 1920, been duly elected “Juré-Justicier” or Jurat of the Royal Court of the said Island was, on the 24th day of January, 1920, sworn into office before the said Court. 2. That on the 28th day of February, 1947, the said Jean Allés Simon 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 26th day of March, 1947, a resolution was passed whereby the States, in acceding to the request of the said Jean Allés Simon, authorised the Bailiff 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 Jean Allés Simon to enjoy during the remainder of his life the honours and privileges appertaining to the said office, and to authorise the States to proceed to a new election. And most humbly praying that Your Majesty would be graciously pleased to grant unto Jean Allés Simon, 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

1947

honours and privileges appertaining to the said office, and to authorise the States to proceed to a new election in order to fill the office thus rendered vacant.'

"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."

NOW, THEREFORE, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorized thereto by the said Letters Patent, 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 thereof and do hereby and accordingly grant unto the said Jean Allés Simon, 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 do 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 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 who it may concern, are to take notice and govern themselves accordingly.

E. C. E. LEADBITTER.

(Registered on the Records on the 14th June, 1947.)

1947

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 21 mai 1947, transmettant des exemplaires de l'Acte du Parlement suivant :—

Army and
Air Force
(Annual)
Act, 1947.

“The Army and Air Force (Annual) Act, 1947,
10 & 11 Geo. 6. Ch. 25.”

La Cour, après avoir eu lecture du dit Ordre en Conseil, ouïes les conclusions du Contrôle 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 de ce présent Acte avec un exemplaire du dit Ordre en Conseil et du dit Acte du Parlement sera expédié 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.

(Registered on the Records on the 14th June, 1947.)

AT THE COURT AT BUCKINGHAM PALACE.

The 21st day of May, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.
LORD PRESIDENT.
LORD CHAMBERLAIN.
MR. WILMOT.
MR. TOMLINSON.
SIR RAYMOND EVERSHERD.

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 May, 1947, in the words following, viz :—

The Benefits
and Pensions
(Contribu-
tory and
Non-Con-
tributory)
Amend-
ment Law,
1947.

1947

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 30th day of December, 1946, the Royal Court, at a sitting held on the 15th day of March, 1947, adopted a Bill or “ *Projet de Loi* ” entitled “ The Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947,” and requested the Bailiff to submit the same to the States for approval. 2.—That on the 9th day of April, 1947, the said Bill or “ *Projet de Loi* ” was duly considered by the States, when a resolution was passed approving the same with certain amendments and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “ *Projet de Loi* ” of the States of Guernsey entitled “ The Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947,” and to order and direct that the same shall have force of law in the Islands of Guernsey, Herm and Jethou.’

“ 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*.”

1947

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 Islands of Guernsey, Herm and Jethou.

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.

E. C. E. LEADBITTER.

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

PROJET DE LOI

ENTITLED

“ THE BENEFITS AND PENSIONS
(CONTRIBUTORY AND NON-CONTRI-
BUTORY) AMENDMENT LAW, 1947”.

The States, in pursuance of their Resolution dated the 30th day of December, 1946, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the islands of Guernsey, Herm and Jethou.

1947

PART I.

DEFINITIONS.

1. In this Law the following expressions shall, unless repugnant to the context, have the meanings hereinafter respectively assigned to them :—

“ The Principal Law ” means the Contributory Pensions Law, 1935, as amended from time to time.

*“ The Law of 1931 ” means the Non-Contributory Old Age Pensions and Blind Persons Law as amended from time to time.

“ The appointed date ” means the date which may be hereafter appointed by the Insurance Authority, and thereafter ordered by Ordinance of the Royal Court, in accordance with the provisions of Article 11 of this Law.

“ This Island ” includes the islands of Guernsey, Herm and Jethou.

Expressions occurring in the Principal Law and in this Law which are defined in the Principal Law shall, for the purposes of this Law, unless the contrary intention therein appears, have the meanings assigned to them in the Principal Law.

PART II.

CONTRIBUTIONS, BENEFITS AND PENSIONS.

2. On and after the appointed date :—

(a) the contributions payable under the Principal Law in respect of any period after the appointed date shall be at the rates prescribed in the First Schedule to this Law instead of at those prescribed in the First Schedule to the Principal Law ;

* Repealed by the Non-Contributory Old Age and Blindness Pensions (Guernsey) Law, 1950.

Increase
after the
appointed
date.

1947

- (b) the accident benefits payable under the Principal Law in respect of any period after the appointed date shall be those prescribed in the second Schedule to this Law instead of those prescribed in the Second Schedule to the Principal Law ;
- (c) the benefits in case of death payable under the principal Law in respect of any period after the appointed date shall be those prescribed in the Third Schedule to this Law instead of those prescribed in the Third Schedule to the Principal Law ;
- (d) the old age pensions payable under the Principal Law in respect of any period after the appointed date shall be in accordance with the scale prescribed in the Fourth Schedule to this Law instead of in accordance with the scale prescribed in the Fourth Schedule to the Principal Law ;
- * (e) the pensions payable under the Law of 1931 in respect of any period after the appointed date shall be in accordance with the scale prescribed in the Fifth Schedule to this Law instead of in accordance with the scale prescribed in the Schedule to the Law of 1931 ;
- (f) references in the principal Law to the First, Second, Third or Fourth Schedules to that Law, or to any part of any of those Schedules, shall be construed as references to the First, Second, Third or Fourth Schedules, as the case may be, to this Law or to the corresponding part thereof ;
- * (g) references in the Law of 1931 to the Schedule to that Law shall be construed as references to the Fifth Schedule to this Law :

* Repealed by the Non-Contributory Old Age and Blindness Pensions (Guernsey) Law, 1950.

1947

PROVIDED that where by virtue of this Section the amount of the benefits or pension payable to any beneficiary on or after the appointed date in respect of any incident occurring before the appointed date would be less than the amount of the benefits or pension (including any bonus payable by virtue of the resolution of the States of the 27th day of June, 1945) payable to that beneficiary in respect of that incident before the appointed date, the latter amount of benefit or pension (together with a sum equal to and in substitution for the said bonus in the case where a bonus was payable before the appointed date) shall, in so far and for so long as the same would otherwise be payable, continue to be payable to that beneficiary after the appointed date in substitution for the first mentioned benefits or pension. For the purposes of this proviso an insured person and his wife being both entitled to a benefit by way of pension by virtue of the provisions of Section 1 of Article 20 of the Principal Law shall be regarded together as one beneficiary.

Benefits
while
insured
person in
hospital.

3. The Law of 1935 shall be amended as follows:—
- (1) In Section 5 of Article XVI, for the words “Twenty-seven shillings” there shall be substituted the words “Forty-seven shillings and three pence.”
- (2) In section 1 of Article XX the words “benefits by the way of a pension of a similar weekly amount” and all words thereafter appearing in that section shall be deleted, and there shall be substituted therefor the following words:—
- “benefits by way of a pension, the weekly amount of which shall be calculated in accordance with the said scale, shall be payable to the wife of that insured person

as from the attainment of the age of seventy by whichever of that insured person and his wife last attains that age.”

1947

- (3) Section 2 of Article XXVIII shall be deleted. Limitation of payments.

PART III.

MISCELLANEOUS.

4. In the case of any person who, being an insured person left this Island during any part of the month of June, 1940, or voluntarily at any time during the occupation of this Island by the German Forces, if there shall be paid to the Administrator, before the expiration of a period of three months following the date of the registration of this Law on the records of this Island, all arrears of contributions unpaid for the period from the date of such leaving to the date of such payment or to the date of his becoming again an insured person or to the date of his attaining the age of 70, or to the date of his death, whichever shall be the earliest of those dates, which would have been payable by him had he been a voluntary contributor throughout such period, such contributions shall be deemed to have been paid on the proper dates and in the proper manner. Concession to persons voluntarily leaving this Island during or before the German occupation.
5. In the case of any person who either against his will or in order to accompany a person or persons detained against their will on the continent of Europe during the war of 1939 to 1945 was deported to the continent of Europe during the said war and there detained, being an insured person at the time of such deportation, there shall be deemed to have been paid during such period of deportation on the proper dates and in the proper manner such contributions as would have been payable in respect of such person had he remained in this Island an insured person, and such person shall be deemed to have been an insured person throughout such period. Concession to deported persons.

1947

Concession
to workers
employed by
German
firms, when
such firms
failed to
hand in con-
tributions.

6. In the case of any person who while a worker was employed by a German unit or firm during the occupation of this Island by the German forces and from whose wages in respect of such employment such unit or firm deducted any sum by way of workers contribution but

- (1) did not pay the whole or part of such sum to the Administrator and/or
- (2) did not pay to the Administrator the whole or part of the employer's contribution in respect of such sum

such sum or contribution in whole or in part shall be deemed to have been paid by the said unit or firm to the Administrator on the proper date and in the proper manner.

Concession
to children
deported or
leaving the
Island on or
before the
German
occupation.

7. In the case of any person who left this Island before the 1st day of July 1940 owing to the impending occupation of this Island by the enemy or who was deported to the continent of Europe during the period of the occupation of this Island by the German forces, and who

- (1) at the time of such leaving or deportation was in receipt of full-time instruction in a Guernsey school and
- (2) became an insured person by actual payment of contribution before the 1st day of July 1946, or, becoming an insured person on or after that date but before the 31st day of December, 1947, is deemed by the Authority to be a person to whom the provisions of this Article should be applied

there shall be deemed to have been paid upon the proper dates and in the proper manner in respect of such person the contributions which would have been payable in respect of him had he become a compulsory contributor on reaching the age below which he was obliged to attend school and so remain until

1947

the date of his so becoming an insured person or until the date of his death, whichever date shall be the earlier and such person shall be deemed to have been a compulsory contributor throughout the period in respect of which such contributions shall be deemed to have been paid.

PROVIDED that nothing in this Article contained shall entitle any person to any benefit or pension in respect of any incident occurring before his becoming an insured person by actual payment of contribution.

8. Notwithstanding the provisions of Article VII and of Article IX of the Principal Law, in the case of any person who

- (1) left this Island before the 1st day of July, 1940, owing to the impending occupation of this Island by the German forces, or was deported to the Continent of Europe during the period of such occupation and
- (2) was at the time of such leaving or deportation in receipt of full-time instruction in a Guernsey school and
- (3) subsequent to such leaving or deportation served in His Majesty's Forces and
- (4) was or shall be discharged from His Majesty's Forces after the 30th day of June, 1946, but before the 31st day of December, 1948 and
- (5) within two months after such discharge returned or shall return to this Island and became or shall become an insured person by actual payment of contribution

Concession to persons leaving this Island before or during the German occupation or being deported, and thereafter entering His Majesty's Forces.

there shall be deemed to have been paid in respect of such person on the proper dates and in the proper manner the contributions which would have been payable in respect of him had he become a compulsory contributor on the 30th day of June, 1946 and

1947

so remained a compulsory contributor during the period of service in His Majesty's Forces starting on the 30th day of June 1946 and ending two months after his discharge from such service or on his death, whichever shall be the earlier date.

PROVIDED that nothing in this Article contained shall entitle any person to any benefit or pension in respect of any incident occurring before his becoming an insured person by actual payment of contribution.

Concession to all insured persons serving in His Majesty's Forces or in those of His Allies.

9. Notwithstanding the provisions of Article VII and of Article IX of the Principal Law, in the case of a person serving in the forces of His Majesty or of His Majesty's Allies during the period starting on the first day of January 1939 and ending with the period of emergency declared by His Majesty in Council in relation to the war of 1939 to 1945, being an insured person at the time of entering such service, the contributions which would have been payable by that person had he remained an insured person throughout the period starting with his entry into such service and ending two months after his discharge from such service or on his death, whichever shall be the earlier date, shall be deemed to have been paid upon the proper dates and in the proper manner, and benefits shall be payable in respect of death or injury resulting from an incident occurring during such last mentioned period.

PROVIDED that any sum payable to any person by way of benefit by virtue of this Article shall be reduced by the amount of any sum which is payable to such person from a source outside the Island of Guernsey as compensation for the death or injury giving rise to such benefit.

Payment of arrears of benefit in certain circumstances

10. Section 2 of Article XXV of the Principal Law shall be amended by the insertion between the words "on account of benefits" and the words "if payment of that sum" of the words "save sums

which may not be able to be paid owing to difficulties of communication or delivery caused by the war of 1939 to 1945.”*

11. The authority shall appoint by regulation the date (to be known as “ the appointed date ”) on and after which contributions, benefits and pensions which but for the provisions of Part II of this Law would be payable at the rates or according to the scales set out in the Principal Law shall be payable at the rates or according to the scales set out in Part II of this Law. Authority to fix appointed date.

12. This Law shall be construed together with the Contributory Pensions Laws, 1935 to 1938, the Contributory Pensions (Emergency Provisions) Law (Guernsey) 1939, the Contributory Pensions Law, 1935, Amendment Law, 1945, and the Contributory Pensions Law, 1935, Amendment Law, 1947, and this Law may be cited together with those Laws as “ The Contributory Pensions Laws, 1935 to 1947 ”. Short Title.

FIRST SCHEDULE.

Rates of Contributions.

PART I.

Rates of Contributions in respect of Employed Compulsory Contributors.

PAYABLE

	Rate of Contribution per week.	By the Employer.	By the Worker.	By the States.
Contributions in case of males	3/2	1/2	1/2	10d.
Contributions in case of females	1/7	7d.	7d.	5d.

* Amended by the Contributory Pensions Supplementary Law, 1949.

1947

PART II.

Rates of Contributions in respect of Compulsory Contributors during periods of unemployment or non-employment or *whilst entitled to become voluntary contributors*.*

	PAYABLE			
	Rate of Contribution per week.	By the Compulsory Contributor.	By the States.	By the States Social Services Committee.
Contributions in case of males (not registered as unemployed). ..	3/2	2/4	10d.	—
Contributions in case of males (registered as unemployed).	3/2	—	10d.	2/4
Contributions in case of females (not registered as unemployed) ..	1/7	1/2	5d.	—
Contributions in case of females (registered as unemployed)	1/7	—	5d.	1/2

PART III.

Rates of Contributions in respect of Voluntary Contributors.

	PAYABLE			
	Rate of Contribution per week.	By the Employer.	By the Voluntary Contributor.	By the States.
Contributions in case of males	3/2	—	3/2	—
Contributions in case of females	1/7	—	1/7	—

* Words in italics deleted by the Contributory Pensions Supplementary Law, 1949.

PART IV.

Rates of Contributions in respect of workers aged
70 years and over.

	PAYABLE			
	Rate of Contri- bution per week.	By the Employer.	By the Worker.	By the States.
Contributions in case of males	1/2	1/2	—	—
Contributions in case of females	7d.	7d.	—	—

SECOND SCHEDULE.

Accident Benefits.

PART I.

Where total disablement results from an Accident.

- (i) In the case of an In- 26s. od. per week, to-
sured Person aged 18 gether with the follow-
or over. ing additional weekly
benefits :—

In respect of depen-
dent wife or husband
wholly dependent by
reason of total perma-
nent incapacity :—
16s. od. per week.

In respect of first or
only wholly dependent
child under 15 years of
age :—

7s. 6d. per week.

1947

(ii) In the case of an Insured person under the age of 18 :—

(a) during any period in which that person has a wife, wholly dependent husband (by reason of total permanent incapacity) or wholly dependent child dependent on him or her :—

26s. od. per week, together with the additional weekly benefits provided for in (i) which are appropriate to the case of that insured person.

(b) During any other period.

15s. od. per week.

PART II.

Where Partial Disablement results from an accident.

The insured person shall be entitled to receive by way of benefits a weekly sum not exceeding the difference between the amount of the average weekly earnings of the insured person 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 such weekly sum shall bear such relation to the amount of such difference as in the circumstances of the case may appear proper to the Insurance Authority.

PROVIDED however that the benefits awarded shall not exceed the benefits which would have been awarded if the disablement had been total.

THIRD SCHEDULE.

Benefits in Case of Death.

PART I.

Where Death results from an Accident.

(a) Reasonable Funeral expenses not exceeding Ten pounds.

1947

(b) Surviving dependents of the insured person shall be entitled to receive by way of benefits the sums provided in this paragraph :—

(i) In the case of a dependent widow or totally and permanently incapacitated and wholly dependent widower not having attained the age of 60 :—

17s. 6d. per week.

(ii) in the case of a dependent widow or such wholly dependent widower having attained or on that widow or widower attaining, the age of 60 :—

26s. 0d. per week.

(iii) If widow or widower entitled to benefits and child or children under fifteen years of age survive :

In addition to the sum provided in whichever of sub-paragraphs (i) and (ii) is applicable, such further sum not exceeding Twenty-seven shillings and sixpence per week calculated as follows: eight shillings and ninepence per week in respect of the eldest or only such child and six shillings and threepence per week in respect of each other such child :

PROVIDED that benefits may be continued in respect of any such child for such further period not exceeding twelve months after that child attains the age of fifteen years as the Insurance Authority may determine where, in the opinion of the Insurance Authority, it is expedient in the interest of such child so to do.

(iv) If no widow or widower entitled to benefits survives :

In respect of surviving child or children under fifteen years of age there shall be paid such maximum sum per week not exceeding forty-five shillings, calculated as

1947

follows: Seventeen shillings and sixpence per week in respect of the eldest or only such child, eight shillings and ninepence per week in respect of the second child and six shillings and threepence per week in respect of each other child.

PROVIDED that benefits may be continued in respect of any such child for such period not exceeding twelve months after that child attains the age of fifteen years as the Insurance Authority may determine where, in the opinion of the Insurance Authority, it is expedient in the interest of such child so to do.

- (v) If no widow, widower or child entitled to benefits survives :

Benefits may be granted at the discretion of the Insurance Authority to other dependents according to the degree of their dependence, provided that the total weekly benefits payable in respect of that contributor do not exceed the sum of Thirty-one shillings and threepence.

- (vi) On re-marriage, the widow, until then in receipt of a pension, of an insured person shall be entitled to receive the lump sum specified in the Table of Lump Sums payable on re-marriage contained in Part III of this Schedule which is appropriate having reference to the age on re-marriage of such widow.

PART II.

Where Death results otherwise than from an Accident.

The benefits which would be payable in respect of the insured person under paragraph (b) of Part I of this Schedule had the Death of such insured person resulted from an accident.

1947

PART III.

Table of Lump Sums payable on the re-marriage of a widow.

<i>Age on Re-marriage.</i>					<i>Lump Sum Payable.</i>
Below 31	..	..	..	..	£52 0 0
„ 32	..	..	..	..	£50 10 0
„ 33	..	..	..	..	£49 0 0
„ 34	..	..	..	..	£47 10 0
„ 35	..	..	..	..	£46 0 0
„ 36	..	..	..	..	£44 10 0
„ 37	..	..	..	..	£43 0 0
„ 38	..	..	..	..	£41 10 0
„ 39	..	..	..	..	£40 0 0
„ 40	..	..	..	..	£38 10 0
„ 41	..	..	..	..	£37 0 0
„ 42	..	..	..	..	£35 10 0
„ 43	..	..	..	..	£34 0 0
„ 44	..	..	..	..	£32 10 0
„ 45	..	..	..	..	£31 0 0
„ 46	..	..	..	..	£29 10 0
„ 47	..	..	..	..	£28 0 0
„ 48	..	..	..	..	£26 10 0
„ 49	..	..	..	..	£25 0 0
„ 50	..	..	..	..	£23 10 0
„ 51	..	..	..	..	£22 0 0
„ 52	..	..	..	..	£20 10 0
„ 53	..	..	..	..	£19 0 0
„ 54	..	..	..	..	£17 10 0
„ 55	..	..	..	..	£16 0 0
„ 56	..	..	..	..	£14 10 0
„ 57	..	..	..	..	£13 0 0
„ 58	..	..	..	..	£11 10 0
„ 59	..	..	..	..	£10 0 0
„ 60	..	..	..	..	£8 10 0
„ 61	..	..	..	..	£7 0 0
Age 61 or over	..	..	..	..	NIL.

1947

FOURTH SCHEDULE.

Scale of Old Age Pensions.

Average number per annum of contributions paid or deemed to have been paid by or in respect of the insured person before he attains the age of seventy since the date on which he attained the age of fifty or since the date of the commencement of the Principal Law, whichever is the later of those two dates :—	Weekly Amount of Pension.	
	Insured Person.	Wife aged 70 or over of Old Age Pensioner.
50 and over	26s. od.	16s. od.
45 and under 50	23s. od.	14s. od.
40 and under 45	20s. od.	12s. od.
35 and under 40	18s. od.	11s. od.
30 and under 35	15s. od.	9s. od.
25 and under 30	13s. od.	8s. od.
Under 25	NIL.	NIL.

*FIFTH SCHEDULE.

Rate of Non-Contributory Old Age and Blind Persons' Pension.

Where the yearly means of the claimant or pensioner under this Law	Persons other than married women.	Married women.
Do not exceed £26 5s. od. ..	26s. od.	16s. od.
Exceed £26 5s. od. but do not exceed £31 10s. od. ..	24s. od.	16s. od.
Exceed £31 10s. od. but do not exceed £36 15s. od. ..	22s. od.	16s. od.
Exceed £36 15s. od. but do not exceed £42 0s. od. ..	20s. od.	16s. od.
Exceed £42 0s. od. but do not exceed £47 5s. od. ..	18s. od.	16s. od.
Exceed £47 5s. od. but do not exceed £52 10s. od. ..	16s. od.	16s. od.
Exceed £52 10s. od. but do not exceed £57 15s. od. ..	14s. od.	14s. od.
Exceed £57 15s. od. but do not exceed £63 0s. od. ..	12s. od.	12s. od.
Exceed £63 0s. od. but do not exceed £68 5s. od. ..	10s. od.	10s. od.
Exceed £68 5s. od. but do not exceed £73 10 od. ..	8s. od.	8s. od.
Exceed £73 10s. od. but do not exceed £78 15s. od. ..	6s. od.	6s. od.
Exceed £78 15s. od. but do not exceed £84 0s. od. ..	4s. od.	4s. od.
Exceed £84 0s. od. but do not exceed £89 5s. od. ..	2s. od.	2s. od.
Exceed £89 5s. od.	No Pension.	

* Repealed by the Non-Contributory Old Age and Blindness Pensions (Guernsey) Law, 1950.

1947

(Registered on the Records on the 8th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.Cadastre
Law, 1947.

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 23rd day of May, 1947, in the words following, viz :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That on the 14th day of April, 1947, the Royal Court adopted a Bill or “*Projet de Loi*” entitled “*Cadastre Law, 1947*” and requested the Bailiff to submit the same to the States of Deliberation for approval. 2.—That on the 23rd day of April, 1947, the said Bill or “*Projet de Loi*” was duly considered by the States, when a resolution was passed approving the same with certain amendments and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “*Cadastre Law,*

1947," and to order and direct that the same shall have force of Law in the Island of Guernsey.'

1947

" 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.

E. C. E. LEADBITTER.

1947

“PROJET DE LOI” referred to in the foregoing
Order in Council.

PROJET DE LOI
ENTITLED
“CADASTRE LAW, 1947.”

THE STATES have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island :—

PART I—GENERAL PROVISIONS.

Article.

1. Interpretation.
2. Preparation of New Cadastre.
3. Composition of the States Cadastre Committee.
4. Particulars to appear in Cadastre.

PART II—COMPILATION OF INFORMATION
FOR PREPARATION OR RECTIFICATION
OF CADASTRE.

5. Power to enter upon property for survey and valuation.
6. Declarations by owners and others.
7. Rectification of Cadastre.
8. Notification of changes in and additions to property and of changes in use of property.
9. Notification of changes of ownership.
10. Penalties.
11. Cost of Cadastre.

PART III—DETERMINATION OF VALUES.

12. Rules for Determination of Values to be enacted by Ordinance.

PART IV—EXHIBITION AND APPEALS.

1947

13. Exhibition of Cadastre.
14. Appeals.
15. Limitation of Rectifications.

PART V—MISCELLANEOUS.

16. Commencement.
17. Amendment of Parochial Taxation Law of 1923.
18. Repeals.
19. Power to Royal Court to pass Ordinances.
20. Apportionment of Fines.
21. Short Title.

SCHEDULE.

PART I—GENERAL PROVISIONS.

ARTICLE I—INTERPRETATION.

In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, namely :—

“ Law of 1919 ” means the “ Loi relative au Cadastre Général de l’Ile ” approved by Order in Council of the 29th October, 1919, and registered on the records of the Island on the 15th November, 1919.

“ Property ” and “ real property ” shall have the same meaning, that is to say :—

Lands, houses and other buildings and erections and such other physical things as, by their nature or by reason of the purpose for which they are used or intended to be used, or otherwise, are by the laws and customs of this Island deemed to be real property and shall include all houses, buildings, erections and other physical things which, but for the severance of

1947

the ownership thereof from the ownership of the site whereon or wherein the same are, would be, or be deemed to be, real property.

Provided that nothing contained in this definition shall authorise the entering in the Cadastre of the name of any person as the owner, usufructuary, or occupier of any property of which that person is not the owner or usufructuary or the occupier or person entitled to occupy same, as the case may be.

Words in the singular shall include the plural and words in the plural shall include the singular.

ARTICLE 2—PREPARATION OF NEW CADASTRE.

(1) As soon as may be after the commencement of this Law, the States Cadastre Committee (hereinafter called " the Committee ") shall prepare a Cadastre (hereinafter called " the 1947 Cadastre " which expression shall where necessary be deemed to include any rectifications duly made therein) of all property save that used exclusively for public worship, in accordance with the provisions of this Law.

(2) Until such date as the Cadastre prepared under the provisions of this Law is declared by Ordinance of the Royal Court to be thenceforth in force, the Cadastre in force shall be that prepared and from time to time rectified in accordance with the provisions of the Law of 1919.

ARTICLE 3—COMPOSITION OF THE STATES CADASTRE COMMITTEE.

(1) The States Cadastre Committee shall consist of 7 voting members, all of whom shall be members of the States and be elected by the States, and shall be composed as under—

(a) A President, who shall hold office for three years ;

1947

- (b) One member resident in the Parish of Saint Peter Port ;
 - (c) One member resident in one of the Parishes of Saint Sampson, the Vale or the Castel ;
 - (d) One member resident in one of the Parishes of Saint Saviour, Saint Peter-in-the-Wood or Torteval ;
 - (e) One member resident in one of the Parishes of Saint Martin, the Forest or Saint Andrew ;
 - (f) Two People's Deputies
and of the States Supervisor who shall be a permanent member *ex-officio* but who shall have no vote.
- (2) (a) Two voting members of the Committee other than the President shall retire on the 31st day of December in each year but shall be eligible for re-election by the States ;
- (b) Failing agreement by the Committee as to the order of retirement of members, such order shall be determined by ballot of the full Committee ;
 - (c) Where a member ceases otherwise than by effluxion of time to hold office the States shall elect a new member for the unexpired portion of the term of office of the member to be replaced.
 - (d) Notwithstanding the repeal of the Cadastre Law, 1938, until the election of the Committee as herein provided, the Committee elected by virtue of the provisions of the Cadastre Law, 1938, shall exercise all the rights and powers and perform all the duties given or imposed by law to or upon the Committee which is to be elected as herein provided.
- (3) Any 4 voting members of the Committee shall form a quorum.

1947

ARTICLE 4—PARTICULARS TO APPEAR IN
CADASTRE.

(1) The Cadastre shall state :—

- (i) the designation or description of each property ;
- (ii) the name and address of the owner, usufructuary and occupier thereof ;
- (iii) the area of land uncovered by buildings included in each property, and the purpose or purposes for which it is used ;
- (iv) the annual rental value and the rateable value of land uncovered by buildings in each property ;
- (v) the number of buildings and the respective areas of the land beneath them, included in each property, the designation or description of each, and the purpose for which it is used ;
- (vi) the annual rental value and the rateable value of each building, including the land under it, included in each property ;

and may contain such other relevant particulars as to the Committee may seem expedient.

(2) Unless the contrary is apparent the area of any property shall be taken to be that which is shewn in respect thereof on the Ordnance Survey Map of the Island.

PART II—COMPILATION OF INFORMATION
FOR PREPARATION OR RECTIFICATION
OF CADASTRE.

ARTICLE 5—POWER TO ENTER UPON
PROPERTY FOR SURVEY AND VALUATION.

- (a) Any member or members of the Committee ;
and

- (b) any States officer, surveyor, workman, and any other person duly authorised in writing under the hand of the States Supervisor ;

1947

may from time to time at all reasonable times in the day enter upon and into any property for the purpose of surveying and valuing the said property for the purposes of the preparation of the Cadastre in pursuance of this Law without being deemed trespassers and without being subject or liable to any fine, penalty or punishment on account of entering or continuing upon any part of the said property.

ARTICLE 6—DECLARATIONS BY OWNERS AND OTHERS.

Every owner of a property, the curator bonis, guardian, attorney or agent of any owner of a property, and every usufructuary or saisi of a property shall within fourteen days after being required so to do by or on behalf of the Committee send to the Committee a declaration in writing signed by him and stating :—

- (i) the designation or description of that property ;
- (ii) the name and address of the owner of that property ;
- (iii) the name and address of the occupier thereof ;
- (iv) the area of the land comprised therein and the purpose or purposes for which the same is used ;
- (v) the number of buildings forming part of that property and the designation or description and dimensions of each such building and the purpose for which the same is used ;
- (vi) the designation or description of any other physical things situate on or in that property which, either by their nature or by

1947

reason of the purpose for which they are used or intended to be used, or otherwise, are by the laws and customs of this Island, including this Law, deemed to be real property ;

- (vii) any other information which the Committee may deem necessary and demand for the compilation or rectification of the Cadastre.

ARTICLE 7—RECTIFICATION OF CADASTRE.

The new Cadastre shall be rectified as regards any property in particular from time to time as the Committee may deem necessary ; and the Committee shall determine anew the values of any classes, groups or categories of properties as the States may from time to time by resolution direct, and shall rectify the Cadastre accordingly.

PROVIDED that without prejudice to the validity of any rectification, notice of any such rectification shall be sent to the owner, the usufructuary (if any) and the occupier (if any) of the property concerned by means of a letter delivered or sent by post to such owner, usufructuary and occupier as the case may be at his address as recorded in the Cadastre, or by such other means as the Royal Court shall direct.

ARTICLE 8—NOTIFICATION OF CHANGES IN AND ADDITIONS TO PROPERTY AND OF CHANGES IN USE OF PROPERTY.

Every owner of a property, the curator bonis, guardian, attorney or agent of any owner of a property, and every usufructuary or saisi of a property shall, not later than the thirty first day of December in every year, send to the Committee particulars in writing of all changes in and additions to the property and in the purposes for which the property is used made during the calender year ending on that day.

ARTICLE 9—NOTIFICATION OF CHANGES OF OWNERSHIP.

1947

(1) When the ownership or usufruct of a property is transferred between living parties, the transferee or his agent shall within fifteen days from the registration of the conveyance or other instrument effecting the transfer furnish to the Committee information in writing as follows :—

- (i) the name and address of the transferee ;
- (ii) the designation, description and area of the property transferred.

(2) When property passes on the death of the owner, then, save as is otherwise provided in paragraphs (3) and (4) of this Article, every person who thereby becomes an owner or usufructuary of the whole or any part thereof shall, in writing, within one month of the former owner's death, notify the Committee of his name and address and furnish the Committee with the designation, description and area of the property to the ownership or usufruct of which he has become entitled.

(3) In the case of a partage the person to whom the first lot has fallen shall within fifteen days after the registration of the partage furnish to the Committee information in writing as follows :—

- (i) the names and addresses of each co-partageant ;
- (ii) the designation, description and area of the property vesting in such co-partageant (including the préciput).

(4) The person at whose instance the registration of the Will of Guernsey realty of a deceased person has been effected shall within fifteen days after the registration of the Will furnish to the Committee a summary of the Will containing the information, in writing, as regards each devisee having an interest

1947

under such Will, which a transferee is required to furnish under paragraph (1) of this Article.

(5) In the case of a saisie the person to whom ownership of the saisie property or part thereof has been adjudged (saisi propriétaire) shall within fifteen days after the date of the Act of Court adjudging to him that ownership furnish to the Committee the information in writing which a transferee is required to furnish under paragraph (1) of this Article.

ARTICLE 10—PENALTIES.

Any person failing to furnish to the Committee within the time hereinbefore specified the information which he is required under this Part of this Law to furnish shall be liable on conviction to a fine at the discretion of the Court not exceeding Ten Pounds Sterling.

Any person found guilty of wilfully giving to the Committee or its servants or agents false information on any matter pertinent to the carrying out of the provisions of this Law shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding one hundred pounds sterling, or to both such fine and imprisonment,

ARTICLE 11—COST OF CADASTRE.

The cost of the preparation of the 1947 Cadastre shall be met out of States funds; the cost of any rectification thereof under the provision of this Law shall be met as to one half* out of States funds and as to the remainder out of parochial funds to be provided by the several parishes in proportion to their respective rateable values.

* "three quarters" substituted for "one half" by the Cadastre (Amendment) Law, 1948.

PART III—DETERMINATION OF VALUES.

ARTICLE 12—RULES FOR DETERMINATION
OF VALUES TO BE ENACTED
BY ORDINANCE.

The annual rental value and the rateable value both in sterling of every property for the purposes of the 1947 Cadastre shall be determined under the direction of the Committee in accordance with Rules approved by the States and enacted by Ordinance of the Royal Court and such values so determined shall be entered in the 1947 Cadastre.

PART IV—EXHIBITION AND APPEALS.

ARTICLE 13—EXHIBITION OF CADASTRE.

(1) Whenever the compilation of such part of the 1947 Cadastre as relates to the whole of any Parish is completed, notwithstanding that the 1947 Cadastre shall not then have been declared by the Royal Court to be in force, the Committee shall subject to the provisions of section (2) hereof cause the same to be exhibited in such Parish on the twelve consecutive working days next following the date of the notification made in accordance with the provisions of the said Section (2), and such exhibition shall take place in the Douzaine rooms of the Parish concerned between the hours of nine o'clock in the forenoon and half past twelve o'clock in the afternoon, and two o'clock in the afternoon and eight o'clock in the evening of each day. As and from the date when the 1947 Cadastre shall be declared by the Royal Court to be in force the same shall, together with any rectification from time to time duly made therein, be exhibited at the States Office at such hours, on such six consecutive working days in each calendar year as shall be appointed by the Committee :

1947

PROVIDED that if the said date shall fall on or after the first day of December in any year the Committee shall not in that year be bound to cause such exhibition to be made.

(2) The States Supervisor shall in respect of any such exhibition of the 1947 Cadastre or any part thereof as aforesaid in any calendar year give previous notice on at least two occasions in La Gazette Officielle of the exhibition of the Cadastre and of the dates and hours during which, in that calendar year, such exhibition will take place.

(3) During the period of any exhibition of the 1947 Cadastre or of any part thereof and during the five days next following the last date of any exhibition thereof or of any part thereof, the proprietor, usufructuary or occupier of any property of which particulars appear in the 1947 Cadastre may notify the Committee of any incorrectness or unfairness in the 1947 Cadastre concerning that property whereby he is prejudiced.

Within a period of fourteen days next following the date of the sending by the Committee of such a notice as is required by the proviso to Article 7 hereof, the proprietor, usufructuary or occupier of any property which is the subject of such notice may similarly notify the Committee.

No notification given under the provisions of this section shall be deemed a valid notification unless it is in writing in accordance with a form to be provided by the Committee.

(4) Upon the receipt of any such notification as is referred to in paragraph (3) of this Article, the Committee shall consider whether or not there are grounds for the rectification of the alleged incorrectness or unfairness referred to in such notification and upon the Committee being satisfied that such grounds exist the 1947 Cadastre shall be rectified

accordingly. The decision of the Committee in regard to the subject matter of any such notification shall be forthwith communicated in writing to the owner, the usufructuary and the occupier of the property concerned.

1947

(5) Any person who shall fail within the period prescribed in paragraph (3) of this Article to give the notification referred to in that paragraph shall, until the next exhibition of the 1947 Cadastre, be dis-entitled to require the rectification of any incorrectness or unfairness alleged by that person to exist therein.

ARTICLE 14—APPEALS.

Any person who is aggrieved by the decision of the Committee in relation to a notification sent by that person under the provisions of paragraph (3) of Article 13 of this Law may notwithstanding that the 1947 Cadastre shall not have been declared by the Royal Court to be in force by way of appeal therefrom, take proceedings against the President of the Committee in the Royal Court sitting as an Ordinary Court with a view to the rectification of the 1947 Cadastre in accordance with the contention of that person and the Court after hearing the appellant and any evidence properly adduced by or on behalf of the Committee may vary or confirm the entry in the 1947 Cadastre to which the contention relates or may remit the same to the Committee for reconsideration as it thinks fit. Any such proceedings by way of appeal shall be commenced within the ten days next following the receipt by the appellant of the decision of the Committee appealed from. The decision of the Ordinary Court in the matter shall be final and conclusive.

ARTICLE 15—LIMITATION OF RECTIFICATION

Notwithstanding any provision in this Law contained, during a period of five years from the date of

1947

any final decision of the Committee or of the Royal Court concerning the rectification of any entry in the 1947 Cadastre, neither the Committee nor the Royal Court shall entertain any notification or appeal in respect of the rectification of such entry by any person to whom such decision relates unless the Committee or the Royal Court is satisfied :—

- (i) that such entry does not accord with such decision ; or
- (ii) that the property concerned has been substantially altered either in structure or in use, since the date of such decision; or
- (iii) that evidence relevant to the question to which such decision relates is available, but was not reasonably available at the time of the making of such decision.

PART V.—MISCELLANEOUS.

ARTICLE 16—COMMENCEMENT.

The provisions of this Law shall come into operation on the date of the registration of this Law upon the Records of this Island.

ARTICLE 17—AMENDMENT OF PAROCHIAL TAXATION LAW OF 1923.

In paragraph (*h*) of Article III of the “ Loi supplémentaire à la Loi relative à la Taxation Paroissiale (1923) ” sanctioned by Order in Council of the 24th July, 1925, and registered on the Records of this Island on the 13th August, 1925, for the words “ sous le contrôle du Conseil Administratif des Etats ” there shall be substituted the words “ qui sont occupés par les Etats ”.

ARTICLE 18—REPEALS.

1947

(1) The Laws referred to in the first column of the Schedule to this Law shall be repealed to the extent stated in the second column and at the times stated in the third column of that Schedule.

Provided that such repeal shall not affect :—

- (a) any such claim for the rectification of the Cadastre prepared under the Law of 1919 as is undetermined at the time of such repeal :
- (b) any liability to States or Parochial Taxation which relates to the Cadastre in being under the Law of 1919 as is unsatisfied at the time of such repeal :
- (c) any penalty incurred in respect of a breach of any of the provisions of the Law of 1919 :
- (d) any legal proceedings in respect of any such claim, liability or penalty :

and any such legal proceedings may be instituted, continued or enforced and any such penalty may be imposed as if the Law of 1919 had not been repealed.

ARTICLE 19—POWER TO ROYAL COURT TO
PASS ORDINANCES.

The Royal Court is authorised to pass such Ordinances as it may deem necessary for giving effect to this Law.

ARTICLE 20—APPORTIONMENT OF FINES.

All fines recovered in virtue of this Law shall be allocated as to one half to the Crown and as to the remainder to the States.

ARTICLE 21—SHORT TITLE.

This Law may be cited as the Cadastre Law, 1947.

THE SCHEDULE.**REPEALS.**

LAW.	EXTENT OF REPEAL.	TIME OF REPEAL.
Loi relative au Cadastre Général de l'Ile, registered on the Records of this Island on the 15th November, 1919.	Articles 1, 2, 3, 7, 8, 19 and 21. Articles 4, 5, 6, 9, 10, 11, 12, 15, 16, 17, 18 and 20.	On the date of the registration on the records of this Island of the Cadastre Law, 1947. On such date as shall be appointed by Ordinance of the Royal Court.
Loi pour l'entretien des Rues de la Paroisse de St. Pierre Port et la reconstitution du Comité des Voies Publiques de l'Ile, registered on the Records of this Island on the 13th December, 1919.	Article 4 (which relates to the payment of road tax on a frontage basis in certain cases).	On such date as shall be appointed by Ordinance of the Royal Court.
Loi relative au Cadastre Général de l'Ile (1938).	The whole Law.	On the date of the registration on the Records of this Island of the Cadastre Law, 1947.

(Registered on the Records on the 8th July, 1947.)

1947

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD AMMON.

LORD MACDERMOTT.

MR. ISAACS.

MR. GRIFFITHS.

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 June, 1947, in the words following, viz :—

The Harbour
Dues (St.
Peter Port
and St.
Sampson)
Law, 1947.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 9th day of April, 1947, the Royal Court, at a sitting held on the 14th day of April, 1947, adopted a Bill or “ *Projet de Loi* ” entitled “ The Harbour Dues (St. Peter Port and St. Sampson) Law, 1947,” and requested the Bailiff to submit the same to the States for approval. 2.—That on the 23rd day of April, 1947, the said Bill or “ *Projet de Loi* ” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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

1947

Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Harbour Dues (St. Peter Port and St. Sampson) Law, 1947," and to order and direct that the same shall have 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.

E. C. E. LEADBITTER.

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

1947

PROJET DE LOI

ENTITLED

“ THE HARBOUR DUES (ST. PETER PORT
AND ST. SAMPSON) LAW, 1947 ”.

THE STATES, in pursuance of their Resolution of the 9th April, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

1. The enactments specified in the first Schedule hereto are hereby repealed to the extent shown therein. **Repeals.**

2. In this Law unless the context otherwise requires **Definitions.**

“ act of trade ” means in respect of a vessel or aircraft, the embarkation or disembarkation of passengers or the loading or unloading of cargo.

“ aircraft ” shall not for the purposes of this Law include aircraft of the Royal Air Force or of the Air Force of any sovereign state, or aircraft belonging to or under the control of any Department of His Majesty’s Government or any Harbour or Navigational authority or body, being aircraft used for the purposes of such Department, authority or body other than the carrying of passengers or the transport of cargo for hire or reward.

“ appointed day ” means the date of registration of this Law on the Records of this Island.

“ harbour of St. Peter Port ” means the harbour area within a line drawn from the seaward end of the Castle Cornet breakwater to the seaward end of the White Rock.

1947

“harbour of St. Sampson” means the harbour area within a line drawn from the seaward end of the southern breakwater of that harbour to the rock known as Kainette.

“roadstead” shall mean the area bounded on the north by a line joining Fort Doyle and Tautenay, on the south by a line joining St. Martin’s Point and the Lower Heads, and on the east by a line joining Tautenay and the Lower Heads.

“territorial waters” means the sea surrounding this Island to a distance of three nautical miles from the coast, measured from the point of low tide.

“vessel” shall not for the purposes of this Law include His Majesty’s ships, ships of war belonging to the Navy of any sovereign state, yachts bona fide used exclusively for pleasure, vessels carrying passengers for hire so long as such vessels are being used within territorial waters and do not disembark such passengers otherwise than at the port of embarkation, fishing or oyster boats so long as such boats are carrying no cargo other than fish or oysters, or vessels belonging to or under the control of any Department of His Majesty’s Government or any Harbour or Navigational authority or body, being vessels used exclusively for the purposes of such Department, authority or body other than the carrying of passengers or the transport of cargo for hire or reward.

**Rates of
Harbour
Dues.**

3. As from the appointed day, Harbour Dues shall be payable in respect of vessels and aircraft entering the harbour of St. Peter Port, the harbour of St. Sampson or the roadstead at the rates and to the extent shown in the second Schedule hereto.

**Perform-
ance of act
of trade.**

4. Any vessel or aircraft coming from any port or airport or other point of departure situate outside this Island and performing an act of trade within territorial waters other than the said harbours or roadstead shall be deemed to have performed the

same within and to have entered the harbour of St. Sampson and shall pay the appropriate harbour dues accordingly.

1947

5. The States Board of Administration may supply water to any vessel in the Harbour of St. Peter Port or the Harbour of St. Sampson on such terms and conditions as the said Board may from time to time impose, but so that the maximum charge for such water so supplied shall be two shillings per ton.

Supply of
Water.

6. The States may by Resolution from time to time alter the rates of all or any of the Dues set out in the second Schedule hereto, but so that the said rates so set out shall in no case be exceeded.

Alteration
of Rates.

7. The Royal Court may from time to time pass such Ordinances as it may deem necessary for the regulation or carrying into execution of this Law.

Ordinances.

SCHEDULE I.

- Order in Council dated the 10th day of January, 1910 and registered on the Records of this Island on the 29th day of January, 1910 The Whole Order.
- Order in Council dated the 20th day of February, 1924 and registered on the Records of this Island on the 8th day of March, 1924 Section II.
- Order in Council dated the 25th day of May, 1933 and registered on the Records of this Island on the 17th day of June, 1933 The Whole Order.
- Order in Council dated the 21st day of February, 1935 and registered on the Records of this Island on the 16th day of March, 1935 The Whole Order.

1947

SCHEDULE II.

*Rate per net
register ton.*

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| (1) Passenger Vessels entering harbour. | |
| (a) Not exceeding 250 tons. | 10d. |
| *(b) Exceeding 250 tons. | 1/- |
| (c) Vessels which had not called at Guernsey on outward journey from England but make special call on return to England for purpose of embarking and disembarking passengers and/or H.M. Mails | 6d. |
| (d) Vessels carrying H.M. Mails to this Island and Jersey and not proceeding beyond Jersey, on their return to Guernsey on their homeward voyage from Jersey if within seven days from their first arrival. | No dues payable. |
| (2) Cargo vessels 60 tons and over entering harbour. | |
| (a) if doing an act of trade | 1/- |
| (b) if occupying a berth but doing no act of trade. | 8d. |
| (c) vessels having paid dues under item (a) re-entering within seven days on their return voyage. | 5d. |
| (d) vessels entering St. Sampson's from St. Peter Port and vice versa (providing they have not quitted territorial waters). | 5d. |
| (3) Cargo vessels under 60 tons entering harbour. | |
| (a) if doing an act of trade. | 5d. |
| (b) if occupying a berth but doing no act of trade. | 4d. |

* Amended by Resolution of the States of the 3rd March, 1948.

	<i>Rate per net register ton.</i>	<u>1947</u>
(4) Vessels under 250 tons arriving from Alderney or Sark, passengers and cargo not having been taken on board elsewhere than at Alderney or Sark—		
(a) first entry on any day.	2d.	
(b) second entry on same day.	1d.	
(c) subsequent entries on same day.	Free.	
(5) Vessels performing an act of trade in the Roadstead.		
For every ton up to 1,200 tons.	5d.	
For every ton in excess of 1,200 and up to 1,800	4d.	
For every ton in excess of 1,800 and up to 3,000	2d.	
For every ton in excess of 3,000 and up to 5,000	1d.	
For every ton in excess of 5,000.	$\frac{1}{2}$ d.	
Vessels which have paid such dues and which, on their return voyage within 28 days, again enter the roadstead and perform an act of trade.	One half of the above dues.	
(6) Vessels under 250 tons entering harbour whilst engaged in transhipment of passengers or goods between one or other of the Harbours and vessels inside or outside the Roadstead or on completion of such service shall pay :		
(a) on first entry	3d.	
(b) on second entry in the course of transhipment from the same vessel.	2d.	
(c) subsequently in the course of transhipment from the same vessel.	Free	

1947

*Rate per net
register ton*

Vessels engaged in such service not ordinarily engaged in regular passenger service between this Island and elsewhere not performing an act of trade during any particular period of 24 hours but which during such period made use of the Harbour of St. Peter Port or St. Sampson.

1d.

- (7) Excursion Vessels disembarking passengers and re-embarking them within twenty-four hours

in the roadstead.

3d.

in the harbour

4½d.

Provided that the dues chargeable shall not exceed a maximum of £20.

- (8) Aircraft.

Passenger fees.

- (a) For each departure and each arrival of an aircraft for or from a place outside the Channel Islands 1/6 per passenger embarking or disembarking.

- (b) For each departure and each arrival of an aircraft for or from a place within the Channel Islands. 1/- per passenger embarking or disembarking.

- (c) For pleasure flights, not landing elsewhere. 9d. per passenger

Cargo fees (for cargo on which freight is paid).

- (a) On departure for or arrival from a place outside the Channel Islands. 6d. for each 25 lbs. or part thereof.

- (b) On departure for or arrival from a place within the Channel Islands. 3d. for each 25 lbs. or part thereof.

Mooring fee.

1947

Two shillings per hour for every hour or part of an hour exceeding 8 hours with a maximum of £1 in respect of every 24 hours of stay counting from time of arrival.

No mooring fee shall be charged on weather-bound aircraft,

(Registered on the Records on the 8th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.

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 June, 1947, in the words following, viz :—

The Rent
Control Law
(Guernsey),
1946,
Amendment
Law, 1947.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That on the 15th day of February, 1947, the Royal Court adopted a Bill or “ *Projet de Loi* ” entitled “ The Rent Control Law (Guernsey), 1946, Amendment Law, 1947,” and requested the Bailiff to submit the same to the States of Deliberation for approval. 2.—That on the 19th day of March, 1947, the said Bill or “ *Projet de Loi* ” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in

1947

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 entitled “The Rent Control Law (Guernsey), 1946, Amendment Law, 1947,” and to order and direct that the same shall have 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.

E. C. E. LEADBITTER.

PROJET DE LOI referred to in the foregoing
Order in Council

1947

PROJET DE LOI

ENTITLED

“ THE RENT CONTROL LAW (GUERNSEY)
1946, AMENDMENT LAW, 1947 ”.

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

1. The Rent Control Law (Guernsey), 1946, shall be amended as follows:—

Amend-
ments to
Law of 1946.

(a) In the list of sections of the said Law with descriptions of such sections, which list is headed “ Division of Sections ”, there shall be deleted all reference to sub-section (3) of section 6.

(b) Sub-section (3) of section 6 shall be deleted.

(c) In sub-section (5) of section 6 the words “ and the provisions ” and the remainder of the sub-section following these words shall be deleted, and there shall be substituted the following words:—

“ and the members of the said Committee and any person authorised by the said Committee shall be entitled from time to time to enter upon any premises the subject matter of any such application ”.

2. This Law shall come into force on such date as the Royal Court shall by Ordinance appoint.

Commence-
ment.

3. This Law and The Rent Control Law (Guernsey), 1946, may be cited together as “ The Rent Control Laws (Guernsey), 1946 and 1947 ”.

Citation.

1947

(Registered on the Records on the 12th July, 1947.)

Defence
(Finance)
(Definition
of Sterling
Area)
(Guernsey)
Order, 1947.

The Bailiff having this day placed before the Court an Order of the Treasury entitled "The Defence (Finance) (Definition of Sterling Area) (Guernsey) Order, 1947" dated July 9th, 1947—The Court, after having heard His Majesty's Procureur thereon, ordered that the said Order be registered on the Records of this Island and published in the Gazette authorised for Official Announcements and that an extract of this present Act with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark, to be registered on the Records of the said Island.

(Registered on the Records on the 12th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.

The Duty
on Matches
Law, 1947.

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 June, 1947, in the words following, viz :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

' 1.—That in accordance with a resolution of the States of Deliberation of the 10th day of July, 1946, the Royal Court on the 15th day of

1947

February, 1947, adopted a Bill or "Projet de Loi" entitled "The Duty on Matches Law, 1947," and requested the Bailiff to submit the same to the States for approval. 2.—That on the 19th day of March, 1947, the said Bill or "Projet de Loi" was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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 entitled "The Duty on Matches Law, 1947," and to order and direct that the same shall have 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.

1947

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.

E. C. E. LEADBITTER.

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

PROJET DE LOI.

ENTITLED

“ THE DUTY ON MATCHES LAW, 1947 ”.

THE STATES, in pursuance of their resolutions of the 10th day of July, 1946, and of the 27th day of December, 1946, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Levy of
Duty on
Matches.

As from the date of the repeal of the Sales Tax Laws 1940-1943, Duty shall be levied upon all matches imported into the Islands of Guernsey, Herm and Jethou at the following rates :—

- (a) as regards every container holding fifty or a lesser number of matches—one halfpenny ;
- (b) as regards every container holding a number of matches in excess of fifty—one halfpenny in respect of each number of fifty matches and one halfpenny in respect of any lesser additional number thereof.

*(Registered on the Records on the 12th July, 1947.)*1947

AT THE COURT AT BUCKINGHAM PALACE.

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.

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 June, 1947, in the words following, viz.:—

Sales Tax
Laws (Re-
peal) Law,
1947

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 27th day of December, 1946, the Royal Court on the 15th day of February, 1947, adopted a Bill or “*Projet de Loi*” entitled “Sales Tax Laws (Repeal) Law, 1947,” and requested the Bailiff to submit the same to the States for approval. 2.—That on the 19th day of March, 1947, the said Bill or “*Projet de Loi*” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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 entitled “Sales Tax Laws (Repeal)

1947

Law, 1947," and to order and direct that the same shall have 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.

E. C. E. LEADBITTER.

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

PROJET DE LOI

ENTITLED

"SALES TAX LAWS (REPEAL) LAW, 1947".

THE STATES, in pursuance of their Resolution of the 27th day of December, 1946, have approved

the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

1947

The Sales Tax Laws 1940-1943 shall be repealed as from midnight between the 31st day of August, 1947 and the 1st day of September, 1947:

Provided that such repeal shall not:—

- (a) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed; or
- (b) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed; or
- (c) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed, as if this Law had not been passed.

(Registered on the Records on the 12th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.

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 June, 1947, in the words following, viz.:—

The
Teachers'
(Super-
annuation)
(Increase of
Benefits)
(Guernsey)
Law, 1947.

1947

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That in accordance with a Resolution of the States of Deliberation of the 10th day of July, 1946, the Royal Court, on the 1st day of February, 1947, adopted a Bill or “Projet de Loi” entitled “The Teachers’ (Superannuation) (Increase of Benefits) (Guernsey) Law, 1947,” and requested the Bailiff to submit the same to the States for approval. 2.—That on the 21st day of February, 1947, the said Bill or “Projet de Loi” was submitted to the States when an amended Bill was substituted for it and a Resolution was passed approving such amended Bill and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3.—That the said amended 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 entitled “The Teachers’ (Superannuation) (Increase of Benefits) (Guernsey) Law, 1947,” and to order and direct that the same shall have 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.”

1947

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.

E. C. E. LEADBITTER.

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

PROJET DE LOI

ENTITLED

* "THE TEACHERS' (SUPERANNUATION)
(INCREASE OF BENEFITS) (GUERNSEY)
LAW, 1947".

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

1. Where the circumstances are such in the case of any teacher that the benefits in respect of service in the Island of Guernsey payable to or in respect of that teacher as regards the

Certain
benefits to
be increased.

* Repealed by the Teachers' (Superannuation) Law (Guernsey), 1948.

1947

period beginning on the 1st day of January, 1944, and ending on the 31st day of March, 1947, or any part thereof, by virtue of the provisions of any of the Laws specified in the Schedule hereto would, if those benefits were payable in respect of service in the United Kingdom, be increased by virtue of the provisions of the Pensions (Increase) Act, 1944, those benefits shall be similarly increased. For the purposes of this Law, the Pensions (Increase) Act, 1944, shall be construed as if the words "Guernsey Education Council" were substituted for the words "pension authority" wherever the latter words appear in the said Act.

Penalties.

2. Any person who, for the purpose of obtaining either for himself or any other person any sum payable by virtue of this Law, knowingly makes any false statement or false representation, shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine.

SCHEDULE.

Loi sur la mise en retraite des Instituteurs registered on the records of this Island on the 17th July, 1920.

Loi Supplémentaire à la Loi sur la mise en retraite des Instituteurs registered on the records of this Island on the 22nd August, 1923.

Loi Supplémentaire à la Loi de 1920 sur la mise en retraite des Instituteurs et à la Loi de 1923 qui y est supplémentaire registered on the records of this Island on the 3rd September, 1927.

The Teachers' (Superannuation) Law, Guernsey, 1939.

(Registered on the Records on the 12th July, 1947.)

1947

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD AMMON.
LORD MACDERMOTT.
MR. ISAACS.
MR. GRIFFITHS.

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 May, 1947, in the words following, viz. :—

Impôts
(Alderney)
1947.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, 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 20th day of December, 1945 to grant to the States of Alderney, power to levy an Impôt Duty on certain commodities imported and consumed in the Island of Alderney, for a period ending the 31st day of December, 1946. That at a meeting of the States of Alderney, holden before Your Petitioner on the 27th day of January, 1947 the States were of opinion to renew (with a slight modification regarding the duty on beer) the said duties as from the 1st day of January, 1947, and ending on the 31st day of December, 1947. That at the said Meeting of the States of Alderney, the States were of opinion to levy a duty on Motor Spirit, Paraffin, Methylated Spirit Lubricating Oil and Fuel Oil imported and consumed in the said Island, commencing from the

1947

date of registration of Your Majesty's Order in Council sanctioning the same on the Records of the said Island and ending on the 31st day of December, 1947. That the rates of the aforesaid duties are set forth in the Schedule hereunto annexed. That the said duties shall be measured on the commodities respectively which are consumed on the Island, such levy to be made at the time of the importation therein of such thereof as are imported and under the condition and for the purposes already sanctioned by Your Majesty. That at the said Meeting of the States of Alderney, Your Petitioner was authorised to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be pleased to grant the States of Alderney power to levy the said duties for the said period. And most humbly praying Your Majesty to be graciously pleased to grant to the States of Alderney power to levy the said duties during the said period for and under the aforesaid purposes and conditions.'

' SCHEDULE

Duties referred to in the foregoing Petition.

Impôt on Spirits	..	32s.	od.	per gallon.
Cordials	..	24s.	od.	„
Wines:—				
Claret and Burgundies				
in cask	..	3s.	6d.	„
in bottles	..	4s.	od.	„
Other Wines—still				
—in cask		6s.	od.	„
—in bottles		7s.	od.	„
Wines—Sparkling				
in bottles	..	11s.	od.	„
Empire Wines				At half rate.

Beer—brewed in England ..	1s.	6½d.	per gallon.	1947
brewed in Guernsey ..	1s.	4d.	„	
Cider		6d.	„	
Tobacco—with stalk ..	7s.	6d.	per lb.	
without stalk ..	7s.	10d.	„	
Manufactured and Cavendish	10s.	2d.	„	
Cigars	}	..	..	11s.
Cigarettes				
Tea		4d.	„	
Motor Spirit		4d.	per gallon.	
Paraffin		1d.	„	
Methylated Spirit		1d.	„	
Lubricating Oil		1d.	„	
Fuel Oil in bulk				
in quantities over 20 tons		¼d.	„	
in quantities up to 20 tons		½d.	„	

“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 to levy the duties specified in the said Petition for the period, and for and under the purposes and conditions referred to in the said Petition.

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.

1947

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.

E. C. E. LEADBITTER.

(Registered on the Records on the 19th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of June, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD AMMON.

LORD MACDERMOTT.

MR. ISAACS.

MR. GRIFFITHS.

The Island
of Herm
Law (1946).

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 June, 1947, in the words following, viz :—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘I.—That for the reasons set forth in the preamble thereto, the Royal Court, at a sitting held on the 30th day of November, 1946, adopted a Bill or “*Projet de Loi*” entitled “*Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances,*” and requested the Bailiff to submit

1947

the same to the States for approval: 2.—That the said Bill or “*Projet de Loi*” was duly considered by the States at a sitting held on the 27th day of December, 1946, when a resolution was passed approving the same and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” entitled “*Law imposing a condition upon the disposal of the Island of Herm, and providing for the extension to that Island of certain Laws and Ordinances*” and to order and direct that the same shall have force of Law in this Island and in the Island of Herm.’

“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 force of Law within the Islands of Guernsey and Herm.

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.

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“LAW IMPOSING A CONDITION UPON
THE DISPOSAL OF THE ISLAND OF
HERM, AND PROVIDING FOR THE EX-
TENSION TO THAT ISLAND OF CERTAIN
LAWS AND ORDINANCES.”

WHEREAS, in pursuance of an agreement between His Majesty's Treasury and the States Board of Administration, the States of Deliberation, at a meeting held on the twenty-sixth day of July, Nineteen hundred and forty-six, resolved as follows :—

“ To purchase the Island of Herm from His
“ Majesty's Treasury, subject to the condition
“ that the Island be not disposed of as a whole
“ by sale or lease without the approval of His
“ Majesty, for the sum of Fifteen thousand
“ pounds and to assume responsibility for the
“ payment of the 'rentes' due on that
“ Island. ” ;

WHEREAS the conveyance of the Island of Herm from His Majesty's Treasury to the States of Guernsey was duly completed and registered at the Greffe

of this Island the seventeenth day of December nineteen hundred and forty-six and is hereby confirmed ;

1947

WHEREAS it is desirable to implement, by legislation, the condition referred to in the above resolution, and to make provision for the application to the Island of Herm of certain Laws and Ordinances hitherto not applicable to that Island ;

THE STATES have adopted the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of Law in this Island and in the Island of Herm :—

1.—No right, title or interest shall pass upon the letting or the sale of, or otherwise upon the transfer or conveyance of any interest in, the Island of Herm as a whole unless the approval of His Majesty of such letting, sale, transfer or conveyance, as the case may be, has first been obtained.

Approval of His Majesty required for sale, etc., of Herm.

2.—The Royal Court of Guernsey, sitting as the Court of Chief Pleas, may by Ordinance extend to the Island of Herm, with such exceptions, modifications and adaptations, if any, as may be specified in the Ordinance, the provisions of any Law or Ordinance in force in the Island of Guernsey ; provided that every such Ordinance shall be laid before the States of Deliberation as soon as may be after the making thereof and if the States, upon consideration of the matter, resolve that that Ordinance should not be applied to the Island of Herm or should be so applied only until such time as is specified in their resolution, then the Royal Court of Guernsey shall revoke or amend that Ordinance in accordance with the terms of such resolution.

Extension to Herm of certain Laws and Ordinances.

3.—This Law may be cited as The Island of Herm Law, (1946).

Short Title.

1947

(Registered on the Records on the 28th July, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of July, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.LORD PRESIDENT.
VISCOUNT ADDISON.
MR. SECRETARY CREECH-JONES.
MR. HALL.
MR. MATHERS.Privy
Council
Committee
(Alderney).

WHEREAS the people of the Island of Alderney, which is in the Bailiwick of Guernsey, were evacuated from the Island before it was occupied by the Germans in 1940 :

AND WHEREAS the said Island was converted by the Germans into a fortress by the erection thereon of concrete defence works, trenches, and other military devices to the great hurt and neglect of the land and buildings thereon :

AND WHEREAS after the liberation of the said Island from the Germans in 1945, much work has been done and large sums of money advanced by His Majesty's Government in the United Kingdom for the removal of the aforesaid fortifications, the reclamation of the land for agriculture, the repair of buildings, and the rehabilitation of those of its former inhabitants who returned to the Island :

AND WHEREAS the future prosperity of the said Island is a matter of deep concern to His Majesty :

AND WHEREAS His Majesty has deemed it expedient that a Committee of His Privy Council should forthwith enquire into the state of the said Island with particular reference to its form of Government and its relationship with the neighbouring Islands, its financial position and its economic prospects :

NOW THEREFORE, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows :

1947

*1. The Lord Ammon, The Right Honourable James Chuter Ede (Chairman) and the Right Honourable Osbert Peake are authorised and appointed to be a Committee of the Privy Council for the purposes of the said enquiry.

2. The Committee, or any two members of the Committee, shall have full powers to call before them such persons as they shall judge likely to afford them any information upon the subject of the inquiry ; to call for information in writing ; and also to call for, have access to, and examine all such books, documents, registers and records, and to use all other such lawful ways and means whatsoever as may afford them the fullest information on the subject of the inquiry.

3. The Committee, or any two members of the Committee, shall have full powers, when it appears necessary or expedient to administer an Oath or Oaths to any person or persons whomsoever to be examined before them for the purposes of the inquiry.

4. The Committee, or any member or members thereof, are authorised and empowered to visit and inspect personally such places as they or he deem it expedient so to visit and inspect for the more effectual carrying out of the purposes aforesaid.

5. The Committee shall, with as little delay as possible, report upon the matters referred to them by this Order and may report their proceedings from time to time if they shall judge it expedient so to do.

AND HIS MAJESTY doth hereby direct that this Order be entered upon the Registers of the Islands of Guernsey and Alderney and observed accordingly, and that the Lieutenant Governor, the Bailiff, the Judge, the Jurats, and all other persons whom it may concern, take notice and govern themselves accordingly.

E. C. E. LEADBITTER.

The Viscount Stansgate, D.S.O., appointed in place of The Lord Ammon by Order in Council registered on the 26th August, 1947. (See p. 134).

1947

(Registered on the Records on the 19th August, 1947.)

James
Ozanne—
Warrant of
Conditional
Pardon.

Monsieur le Lieutenant-Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant Gouverneur en date du 14 août courant transmettant une Lettre de Pardon anglicé "Warrant of Conditional Pardon" de Sa Très Gracieuse Majesté le Roi, signée de sa main et scellée de son Sceau Privé en date du 12 août courant, laquelle Lettre de Pardon fut contresignée et transmise par le Secrétaire d'Etat pour l'Intérieur, accordant à James Ozanne son pardon de la sentence de mort prononcée contre lui dans le mois de juillet 1947, par la Cour Royale de l'Ile de Guernesey, et ce à condition qu'il soit gardé en servitude pénale pendant sa vie,—la Cour, après avoir eu lecture de la dite Lettre de Pardon, ouïes les conclusions du Contrôle du Roi, a ordonné qu'elle sera enregistrée sur les Records de cette Ile, afin que toute personne concernée en ait pleine connaissance et se gouverne en conformité avec la dite Lettre de Pardon, de laquelle Lettre de Pardon la teneur suit :—



GEORGE R. I.

GEORGE THE SIXTH, by the Grace of God, of Great Britian, Ireland, and the British Dominions beyond the Seas, King, Defender of the Faith.

To Our Trusty and Well Beloved Philip Neame, upon whom has been conferred the Decoration of the Victoria Cross, Knight Commander of Our Most Excellent Order of the British Empire, Companion of Our Most Honourable Order of the Bath, Companion of Our Distinguished Service Order, Lieutenant General of Our Forces, the Lieutenant Governor of the Island of Guernsey, and all others whom it may concern.

GREETING :

WHEREAS James Ozanne was at a Sessions of the Royal Court holden at Guernsey, in July, 1947, convicted of murder and sentenced to death :

1947

Now Know Ye that We in consideration of some circumstances humbly represented unto us, are Graciously pleased to extend Our Grace and Mercy unto the said James Ozanne and to grant unto him Our Pardon in respect of the said conviction on Condition that he be kept in Penal Servitude for Life.

OUR Will and Pleasure therefore is that you do give the necessary directions accordingly :

AND for so doing this shall be a sufficient Warrant.

Given at Our Court at Saint James's
the twelfth day of August, 1947,
in the eleventh Year of Our Reign

By His Majesty's Command

J. CHUTER EDE.

(Registered on the Records on the 19th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 25th day of July, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD CATTO.
LORD NATHAN.
MR. SECRETARY EDE.
MR. STRACHEY.
SIR WILLIAM BIRKETT.
MR. NESS EDWARDS.

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 12th day of July, 1947, in the words following, viz :—

The German
Occupation
Laws Repeal
Law, 1947.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of

1947

December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 21st day of February, 1947, the Royal Court, at a sitting held on the 8th day of March, 1947, adopted a Bill or “ *Projet de Loi* ” entitled “ The German Occupation Laws Repeal Law, 1947 ”, and requested the Bailiff to submit the same to the States for approval. 2.—That at an adjourned meeting of the States held on the 27th day of March, 1947, the said Bill or “ *Projet de Loi* ” was duly considered, when a resolution was passed approving the same and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “ *Projet de Loi* ” of the States of Guernsey entitled “ The German Occupation Laws Repeal Law, 1947 ”, and to order and direct that the same shall have 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

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council,

PROJET DE LOI

ENTITLED

“ THE GERMAN OCCUPATION LAWS
REPEAL LAW, 1947.”

THE STATES in pursuance of their Resolution dated the 21st day of February, 1947, have approved the following provisions which subject to the Sanction of His Most Excellent Majesty in Council shall have force of law in this Island.

The laws set out in the Schedule hereto are hereby repealed.

SCHEDULE.

“ Loi relative à l'Inéligibilité du Personnel Salarié des Etats aux Charges Paroissiales et à celle de Député du Peuple (1940) ” registered on the Records of this Island on the 13th day of August, 1940.

1947

“ Loi conférant sur la Cour le pouvoir de déclarer vacante la place d'un Douzenier ou d'un Député absent de l'Ile, ” registered on the Records of this Island on the 1st day of February, 1941.

“ The Compulsory Civil Duties Law, 1941. ”

“ Loi supplémentaire à la Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée ”, registered on the Records of this Island on the 21st day of April, 1941.

“ Loi relative à la nomination de personnes autorisées à agir à la place de Fidéi-Commissaires et autres absents de cette Ile, ” registered on the Records of this Island on the 28th day of June, 1941.

“ The Compulsory Civil Duties Law, 1941, Amendment Law, 1942. ”

“ The Additional Powers (The Bailiff and the Controlling Committee) Law, 1943. ”

“ The Additional Powers (The Bailiff and the Controlling Committee) Law, 1943, Amendment Law, 1943. ”

(Registered on the Records on the 19th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 25th day of July, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD CATTO.
LORD NATHAN.
MR. SECRETARY EDE.
MR. STRACHEY.
SIR WILLIAM BIRKETT.
MR. NESS EDWARDS.

Loi supplé-
mentaire
ayant rapport
à la Police
Salarisée de
l'Ile de
Guernesey
(1947).

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 12th day of July, 1947, in the words following, viz :—

1947

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 11th day of December, 1946, the Royal Court, at a sitting held on the 22nd day of March, 1947, adopted a Bill or “ *Projet de Loi* ” entitled “ *Loi supplémentaire ayant rapport à la Police Salariée de l’Ile de Guernesey (1947)*,” and requested the Bailiff to submit the same to the States for approval. 2.—That on the 9th day of April, 1947, the said Bill or “ *Projet de Loi* ” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “ *Projet de Loi* ” of the States of Guernsey entitled “ *Loi supplémentaire ayant rapport à la Police Salariée de l’Ile de Guernesey (1947)*,” and to order and direct that the same shall have 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*.”

1947

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.

E. C. E. LEADBITTER.

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

PROJET DE LOI

INTITULÉ

“LOI SUPPLÉMENTAIRE AYANT RAPPORT
À LA POLICE SALARIÉE DE L'ILE DE
GUERNESEY (1947).”

LES ETATS, vu leur Délibération en date du 11 décembre 1946, ont adopté le Projet de Loi ensuivant afin que, moyennant la Sanction de Sa Très Excellenté Majesté en Conseil, tel Projet ait force de Loi en cette Ile.

Rappel.

1. La Loi supplémentaire ayant rapport à la Police Salarisée de l'Ile de Guernesey (1938) sera rappelée.

2. L'Article III de la Loi ayant rapport à la Police Salariée pour l'Ile entière enregistrée sur les Records de cette Ile le 10 janvier 1920 restera rappelé et l'Article III qui ensuit y sera substitué et sera censé dorénavant former partie de la dite Loi.

1947
 Amende-
 ments à la
 Loi de 1920.

ARTICLE III.

*1. Le Corps de la Police Salariée comprendra

- (a) Un officier commandant nommé par le Conseil de Nomination lequel Officier commandant aura le grade d'Officier en Chef de Police.
- (b) Un officier subordonné à l'Officier commandant nommé par le Comité des Etats pour la Police Salariée de l'Ile, lequel Officier aura le grade d'Inspecteur de Police.
- (c) Tel nombre de Sergents et d'Agents de Police n'excédant pas l'établissement qui aura été approuvé de temps à autre par les Etats sur la recommandation du dit Comité, lesquels Sergents et Agents seront nommés par le dit Comité.

2. L'Officier en Chef de Police, l'Inspecteur de Police et tout Sergent et Agent de Police, avant d'entrer en fonctions, sera sermenté devant la Cour Royale au bon et fidèle exercice de sa charge."

3. Les pouvoirs ou devoirs ci-devant attribués par une Loi ou Ordonnance quelconque à l'Inspecteur de Police seront dorénavant censés être attribués à l'Officier en Chef de Police au lieu de l'Inspecteur de Police.

Pouvoirs et
 devoirs
 ci-devant
 attribués à
 l'Inspecteur
 de Police.

* Repealed by the Island Police Force Establishment (Guernsey) Law, 1949.

1947

*Dorénavant les pouvoirs ou devoirs qui sont ou seront attribués à l'Officier en Chef de Police pourront être exercés par l'Inspecteur de Police,

- (a) à la place de l'Officier en Chef de Police, lorsque, par raison d'absence de l'Ile, maladie ou autre cause, l'Officier en Chef de Police n'est pas en fonctions, et
- (b) soit conjointement avec, soit à la place de, l'Officier en Chef de Police, lorsque l'Inspecteur de Police y sera autorisé, soit généralement soit spécialement, par l'Officier en Chef de Police,

et sera ainsi interprétée toute référence à l'Officier en Chef de Police dans une Loi ou Ordonnance quelconque.

Reserva-
tion.

4. Le rappel de la dite Loi supplémentaire ou de l'Article ci-dessus rappelé n'affectera en rien les nominations au corps de la Police Salariée faites sous l'empire de la dite Loi ou du dit Article.

TRANSLATION

OF

PROJET DE LOI

ENTITLED

“ SUPPLEMENTARY LAW CONCERNING THE SALARIED POLICE OF THE ISLAND OF GUERNSEY (1947) ”.

The States, in view of their resolution dated the 11th day of December, 1946, have approved the following Projet de Loi, to the intent that, subject to the Sanction of His Most Excellent Majesty in Council, such Projet shall have force of law in this Island.

Repeal.

1. The Supplementary Law concerning the salaried Police of the Island of Guernsey (1938) is hereby repealed.

* Paragraph repealed by the Island Police Force Establishment (Guernsey) Law, 1949.

2. Article III of the Law concerning the salaried Police for the whole Island registered on the Records of this Island on the 10th day of January 1920 shall remain repealed and the following Article III shall be substituted for it and shall be deemed henceforth to form part of the said Law.

1947

 Amend-
 ments to
 Law of 1920.

“ ARTICLE III.

*1. The salaried Police Force shall be composed of

- (a) A commanding officer appointed by the Appointments Board, who shall have the rank of Chief Officer of Police.
- (b) An officer subordinate to the commanding officer, who shall be appointed by the States Committee for the salaried Police of the Island, which officer shall have the rank of Inspector of Police.
- (c) Such a number of Sergeants and Constables, as shall not exceed the establishment approved from time to time by the States on the recommendation of the said Committee, such Sergeants and Constables to be appointed by the said Committee.

2. The Chief Officer of Police, the Inspector of Police and every Sergeant and Constable shall, before taking up his appointment, be sworn before the Royal Court to the good and faithful discharge of his duty.”

3. Any powers or duties previously attributed by any Law or Ordinance to the Inspector of Police shall henceforth be deemed to be attributed to the Chief Officer of Police, instead of the Inspector of Police.

Powers and
 duties pre-
 viously attri-
 buted to
 Inspector of
 Police.

* Repealed by the Island Police Force Establishment (Guernsey) Law, 1949.

 1947

*Henceforth any powers or duties which are or shall be attributed to the Chief Officer of Police may be exercised by the Inspector of Police,

- (a) instead of the Chief Officer of Police when by reason of absence from the Island, illness or any other cause, the Chief Officer of Police is not so acting, and
- (b) either jointly with or instead of the Chief Officer of Police when the Inspector of Police has been so authorised, either generally or specially, by the Chief Officer of Police,

and any reference to the Chief Officer of Police in any Law or Ordinance shall be so interpreted.

Saving.

4. The repeal of the said Supplementary Law and of the Article hereby repealed shall not in any way affect appointments to the salaried Police Force made by virtue of the said Law or Article.

(Registered on the Records on the 26th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.

MR. GREENWOOD.

MR. TOM WILLIAMS.

MR. HENDERSON.

Privy
Council
Committee
(Alderney).

WHEREAS by an Order of His Majesty in Council made on the 3rd day of July, 1947, a Committee of the Privy Council was appointed to enquire into the state of the Island of Alderney, with particular reference to its form of Government and its relationship with the neighbouring Islands, its financial position and its economic prospects :

* Paragraph repealed by the Island Police Force Establishment (Guernsey) Law, 1949.

AND WHEREAS by the resignation of The Lord Ammon, a vacancy has occurred amongst the members of the said Committee :

1947

NOW THEREFORE, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows :

The Viscount Stansgate, D.S.O., is authorised and appointed to be a member of the said Committee of the Privy Council in the room of the said Lord Ammon.

AND HIS MAJESTY doth hereby direct that this Order be entered upon the Registers of the Islands of Guernsey and Alderney and observed accordingly, and that the Lieutenant-Governor, the Bailiff, the Judge, the Jurats, and all other persons whom it may concern, take notice and govern themselves accordingly.

E. C. E. LEADBITTER.

(Registered on the Records on the 26th August, 1947.)

The Lieutenant Bailiff having this day placed before the Court (1) An Order of his Majesty's Treasury dated August 21st 1947 entitled " The Regulation of Payments (Guernsey) (General) Order, 1947", (2) An Order of His Majesty's Treasury dated August 22nd 1947 entitled " The Currency Restrictions and Travellers Exemptions (Guernsey) Order, 1947," The Court, after having heard His Majesty's Comptroller, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act with a copy of each of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

Regulation
of Payments
Order.

Currency
Restrictions
and
Travellers
Exemptions
Order.

1947

Percy Le
Prevost—
Warrant of
Conditional
Pardon.

(Registered on the Records on the 30th August, 1947.)

Monsieur le Lieutenant Baillif ayant ce jour communiqué à la Cour une lettre de Son Excellence le Lieutenant Gouverneur en date du 27 août courant transmettant une Lettre de Pardon anglicé "Warrant of Conditional Pardon" de Sa Très Gracieuse Majesté le Roi, signée de sa main et scellée de son Sceau Privé en date du 16 août courant, laquelle Lettre de Pardon fut contre-signée et transmise par le Secrétaire d'Etat pour l'Intérieur, accordant à Percy Le Prevost son pardon de la sentence de mort prononcée contre lui dans le mois de juin 1947 par la Cour Royale de l'Ile de Guernesey, et ce à condition qu'il soit gardé en servitude pénale pendant sa vie,—La Cour, après avoir eu lecture de la dite Lettre de Pardon, ouïes les conclusions du Procureur du Roi, a ordonné qu'elle sera enregistrée sur les Records de cette Ile, afin que toute personne concernée en ait pleine connaissance et se gouverne en conformité avec la dite Lettre de Pardon, de laquelle Lettre de Pardon la teneur suit :—



GEORGE R.I.

GEORGE THE SIXTH, by the Grace of God, of Great Britian, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith

To Our Trusty and Well-Beloved Philip Neame, upon whom has been conferred the Decoration of the Victoria Cross, Knight Commander of Our Most Excellent Order of the British Empire, Companion of Our Most Honourable Order of the Bath, Companion of Our Distinguished Service Order, Lieutenant General of Our Forces, the Lieutenant

Governor of the Island of Guernsey, and all others
whom it may concern

1947

GREETING :

WHEREAS Percy Le Prevost was at a Sessions of the Royal Court holden at Guernsey in June, 1947, convicted of murder and sentenced to death :

NOW KNOW YE that We in consideration of some circumstances humbly represented unto Us, are Graciously pleased to extend Our Grace and Mercy unto the said Percy Le Prevost and to grant unto him Our Pardon in respect of the said conviction on condition that he be kept in Penal Servitude for Life :

OUR Will and pleasure therefore is that you do give the necessary directions accordingly :

AND for so doing this shall be a sufficient Warrant.

Given at Our Court at Saint James's
the 16th day of August 1947
in the eleventh year of Our Reign
By His Majesty's Command.

J. CHUTER EDE.

(Registered on the Records on the 30th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.
MR. GREENWOOD.
MR. TOM WILLIAMS.
MR. HENDERSON.

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 July, 1947, in the words following, viz :—

Loi de 1947
portant
amendement
à la Loi
concernant
la qualifica-
tion requise
pour tenir
certains
offices.

1947

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That the States of Deliberation at a meeting held on the 21st day of May, 1947, considered a Bill or “*Projet de Loi*” entitled “*Loi de 1947 portant amendement à la Loi concernant la qualification requise pour tenir certains offices,*” when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : 2.—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 entitled “*Loi de 1947 portant amendement à la Loi concernant la qualification requise pour tenir certains offices,*” and to order and direct that the same shall have force of law in 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.

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order in Council.

PROJET DE LOI

ENTITLED

* "LOI DE 1947 PORTANT AMENDEMENT
À LA LOI CONCERNANT LA
QUALIFICATION REQUISE POUR TENIR
CERTAINS OFFICES."

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island :—

The "Loi concernant la qualification requise pour tenir certains offices" registered on the Records of this Island on the 19th day of January, 1942, and confirmed by Order in Council registered thereon on the 24th day of August, 1945, is hereby amended by the addition thereto immediately after the words "coming into force of this Law" of the following proviso :

• Repealed by the German Occupation Laws Repeal Law, 1948.

1947

Cessation of
relief from
disqualifi-
cation.

“ PROVIDED that relief from disqualification shall cease to have effect

- (a) in the case of any person changing his place of residence after the 9th day of May, 1945, on the expiration of a period of thirty days next following the date of the coming into operation of this proviso ; and
- (b) in all other cases, on the 1st day of January, 1948, save that in the case of any Douzenier, the Royal Court upon being satisfied that such Douzenier has taken all reasonable steps with a view to resuming residence in the parish of which he is a Douzenier, may from time to time extend the period of relief from disqualification by such further period as seems to the Court equitable, but so however that no such period of relief shall extend beyond the 31st day of December, 1950.”

(Registered on the Records on the 30th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.

MR. GREENWOOD.

MR. TOM WILLIAMS.

MR. HENDERSON.

War Profits
Levy
(Guernsey)
(Amend-
ment) Law,
1947.

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 July, 1947, in the words following, viz :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

1947

' 1.—That on the 14th day of April, 1947, the Royal Court adopted a Bill or " *Projet de Loi* " entitled " *War Profits Levy (Guernsey) (Amendment) Law, 1947,*" and requested the Bailiff to submit the same to the States of Deliberation for approval : 2.—That on the 7th day of May, 1947, the said Bill or " *Projet de Loi* " was duly considered by the States, when a resolution was passed approving the same with one slight amendment and authorising the Bailiff 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 entitled " *War Profits Levy (Guernsey) (Amendment) Law, 1947,*" and to order and direct that the same shall have 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

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order in Council.

PROJET DE LOI

ENTITLED

“WAR PROFITS LEVY (GUERNSEY)
(AMENDMENT) LAW, 1947”.

· THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

Arrangement of Articles.

Article.

1. Interpretation.
2. Repeal of part of the principal law.
3. Revised provisions as to computation of profits.
4. Refunds.
5. Short Title.

ARTICLE I.

INTERPRETATION.

In this Law unless the context otherwise requires “principal law” means the War Profits Levy (Guernsey) Law, 1946.

ARTICLE 2.

1947

REPEAL OF PART OF THE PRINCIPAL
LAW.

Paragraph (1) of Article 8 of the principal law is hereby repealed.

ARTICLE 3.

REVISED PROVISIONS AS TO
COMPUTATION OF PROFITS.

The following paragraph numbered (1) shall henceforth form part of Article 8 of the principal law :—

“(1) For the purposes of Articles 6 and 7, the profits arising from a business in the standard period or the chargeable accounting period shall be separately computed and shall be so computed on income tax principles as adapted in accordance with the provisions of Part I of the First Schedule to the principal law :

PROVIDED that where the standard period or the chargeable accounting period is not an accounting period, the profits or losses of the business for any accounting period wholly or partly included within the standard period or the chargeable accounting period shall be so computed as aforesaid and such division and apportionment of those profits or losses and such aggregation of those profits or losses, or any apportioned part thereof, shall be made as appears necessary to arrive at the profits arising in the standard period or chargeable accounting period ; and any such apportionment shall be made in proportion to the number of months or fractions of months in the respective periods, unless the Administrator, having regard to any special circumstances, otherwise directs.

1947

PROVIDED ALSO that if it can be shown to the satisfaction of the Administrator, or on appeal the Income Tax Authority, that the profits of a business earned or accrued in the period beginning on the eighth day of May, 1945 and ending on the thirtieth day of June, 1945, are proportionately greater than the profits earned or accrued in that portion of the chargeable accounting period prior to the eighth day of May, 1945 during which the business has been carried on by a person chargeable to the Levy, then the profits of the chargeable accounting period, as computed in accordance with the provisions of this Law, shall be reduced by an amount equal to the sum by which the profits of the period beginning on the eighth day of May, 1945 and ending on the thirtieth day of June, 1945 are proportionately greater than the profits earned or accrued in the said portion of the chargeable accounting period prior to the eighth day of May, 1945.

For the purpose of this paragraph 'income tax principles', in relation to a business, means the principles on which the profits arising from the business are computed for the purposes of income tax."

ARTICLE 4.

REFUNDS.

Notwithstanding the provisions of Article 32 (3) of the principal law a person chargeable to the Levy who may become entitled to a refund of the Levy by virtue of any of the provisions of this Law may claim the said refund at any time within one year next following the date of the notice of assessment to the Levy or the determination of an appeal against the same, or within one month next following the date on which this law is registered, whichever is the later.

ARTICLE 5.

1947

SHORT TITLE.

1. This Law may be cited as the War Profits Levy (Guernsey) (Amendment) Law, 1947.
2. This Law shall be construed as one with the principal law and the principal law and this law may be cited together as the War Profits Levy (Guernsey) Laws, 1946 and 1947.

(Registered on the Records on the 30th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.

MR. GREENWOOD.

MR. TOM WILLIAMS.

MR. HENDERSON.

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 July, 1947, in the words following, viz :—

Law of 1947
respecting
the Tax on
Rental
Values for
the years
1941-1946
inclusive.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That in accordance with a resolution of the States of Deliberation of the 21st day of February, 1947, the Royal Court, at a sitting held on the 8th day of March, 1947, adopted a Bill or “ *Projet de Loi* ” entitled “ Law of 1947 respecting the Tax on Rental Values for the years 1941-1946 inclusive,” and requested the

1947

Bailiff to submit the same to the States for approval: 2.—That on the 26th day of March, 1947, the said Bill or “Projet de Loi” was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff 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 entitled “Law of 1947 respecting the Tax on Rental Values for the years 1941-1946 inclusive;” and to order and direct that the same shall have 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“LAW OF 1947 RESPECTING THE TAX ON
RENTAL VALUES FOR THE YEARS
1941-1946 INCLUSIVE”.

THE STATES, in pursuance of their Resolution dated the 21st day of February, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

The Tax on Rental Values in respect of the years 1941 to 1946 inclusive shall be deemed for each of those years to have been at the rate of 8d. in the pound sterling.

(Registered on the Records on the 30th August, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.

MR. GREENWOOD.

MR. TOM WILLIAMS.

MR. HENDERSON.

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 August, 1947, in the words following, viz :—

Acquisition of Improved Properties Law (Alderney) 1947.

1947

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, Judge and President of the States of the Island of Alderney setting forth :—

‘ That at a Meeting of the States of Alderney holden before Your Petitioner on the 23rd day of March, 1946, the States were of opinion to approve the resolution with reference to the acquisition by the States in the interest of the Public of Properties in the Island which had been improved by the enemy during the period of the occupation of the Island by the enemy, and to authorise the preparation of a *Projet de Loi* giving effect thereto. That at a Meeting of the States of Alderney holden before your Petitioner on the 18th day of July, 1947, the States took into consideration the *Projet de Loi* intituled “ *Projet de Loi* entitled Acquisition of Improved Properties Law (Alderney) 1947 ”, and were of opinion to approve the same and to authorise Your Petitioner to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And most humbly praying Your Majesty 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.”

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

“ACQUISITION OF IMPROVED PROPERTIES
LAW (ALDERNEY), 1947.”

WHEREAS works were carried out and buildings were constructed, extended or altered at various places in the Island of Alderney by the enemy during the period of the enemy occupation of that Island and by the British Liberation Force during the period of rehabilitation following thereupon and it is expedient in the public interest that certain of those

1947

works and buildings and the sites thereof together with such premises adjacent thereto as may be necessary for the use or exploitation of such works or buildings should be vested in the States of Alderney either for retention by the States or otherwise :—

ARTICLE I.

Premises
to which
Law applies.

The provisions of this Law shall apply to such of the premises aforesaid (not being premises vesting in the Crown or in a Government Department) as may be determined by Resolution of the States of Alderney sanctioned by His Excellency the Lieutenant-Governor.

ARTICLE 2.

Vesting of
premises in
States.

Upon completion of the following formalities, that is to say : (a) upon notice of acquisition in the form specified in the First Schedule to this Law being posted on or near the site of any such premises and (b) upon such notice being published in " La Gazette Officielle " of the Island of Guernsey, all right, title and interest to or in the premises, other than any feudal right, hypothecary right or other encumbrance attaching to or affecting the same, shall vest in and belong to the States of Alderney with right of immediate possession. H.M. Greffier shall record the date on which the said formalities are completed in the case of any premises and the certificate of H.M. Greffier as to such date shall, in the absence of proof to the contrary, be conclusive proof of the date of the vesting in the States of those premises.

ARTICLE 3.

Claims, etc.

As from such vesting as aforesaid, the premises so vested shall cease to be subject to any claim, hypothecary right or encumbrance previously attaching to or affecting the same and the indemnity

determined or to be determined in accordance with the provisions of the Second Schedule to this Law as payable in respect of the acquisition of the premises shall thenceforth be solely liable in substitution for the premises, as regards any such claim, hypothecary right or encumbrance.

1947

ARTICLE 4.

No action "en retrait lignager" shall lie in respect of any premises acquired under the provisions of this Law. Retrait
lignager.

ARTICLE 5.

The provisions of the Second Schedule to this Law shall govern the determination of the amount of the indemnity payable in respect of the acquisition of any premises under the provisions of this Law and the settlement of such indemnity. Indemnity.

ARTICLE 6.

This Law shall come into force on the date of the registration on the records of the Island of Alderney of the Order of His Majesty in Council ratifying the same. Commence-
ment.

FIRST SCHEDULE

FORM OF NOTICE OF ACQUISITION

*THE STATES OF THE ISLAND OF
ALDERNEY.*

TAKE NOTICE that, by virtue of a Resolution of the States of Alderney, dated the day of 194 , sanctioned by His Excellency the Lieutenant-Governor, in pursuance of the Acquisition of Improved Properties Law (Alderney), 1947,

1947

the States have acquired the premises known (or commonly referred to) as
situate at
in the Island of Alderney vesting (or believed to vest) in
with right of vacant possession as on and from the
day of , 194 .

AND TAKE NOTICE that the premises will be valued in due course in accordance with the provisions of the said Law and that thereafter notice of the amount of such valuation will be posted in the office of H.M. Greffier, Alderney, and may be inspected there. An appeal against such valuation may be lodged with H.M. Greffier during the sixty days next following the posting of such notice of valuation.

Judge of Alderney.

, 194 .

SECOND SCHEDULE

CONSTITUTION AND PROCEEDINGS OF BOARD OF VALUERS

1. The Board of Valuers (hereinafter referred to as "the Board") shall consist of three competent and impartial persons, one appointed by the States of Alderney, one, not being a member of the States of Alderney, appointed by the Alderney Douzaine and one appointed by the Judge of Alderney. In the event of disagreement between the members of the Board, the decision of the majority shall be deemed to be the decision of the Board. The member appointed by the Judge of Alderney shall preside.

2. Upon a copy of the Notice of Acquisition in respect of any premises being delivered to the President of the Board, the President of the Board

1947

shall publish at the ordinary "lieux d'affiche" in the Island of Alderney the date, time and place at which the Board will proceed with the valuation accordingly, giving an opportunity to persons having an interest in the premises and presenting themselves at such date, time and place to make such representations concerning the valuation thereof to the Board as such persons may deem proper.

3. The basis of valuation of any premises shall be the value, as at the time of the valuation, of those premises in the condition in which those premises were on the 15th day of June, 1940, together with an additional amount estimated at the rate of five per cent. of such value as compensation in respect of the compulsory nature of the acquisition. The Board shall take such evidence as they may deem necessary to inform themselves sufficiently of the condition of the premises as at the aforesaid date.

4. The report of the Board in respect of the valuation of any premises shall be recorded in writing and shall express the amount of such valuation (a) in sterling and (b) in terms of "rente" at the rate of One quarter of "rente" to each £20 sterling of the amount of such valuation.

5. The President of the Board shall deliver two copies of the Board's report, signed by the President of the Board, to H.M. Greffier who shall forthwith post one copy in a prominent position in his office and shall file the other copy for purposes of record. H.M. Greffier shall also forthwith post on the ordinary "lieux d'affiche" a notice to the effect that the report of the Board in respect of any premises (which premises shall be stated in the notice) has been delivered to him and can be inspected in his office.

1947

APPEALS FROM VALUATIONS

6. The States, through their Treasurer, and any person entitled in whole or in part to an indemnity under the provisions of this Law shall be entitled to appeal against the amount of that indemnity within the sixty days next following the date of the posting in the office of H.M. Greffier of the relevant report of the Board.

7. Such appeal, to be effective :—

- (a) shall be in writing signed by the appellant and shall be delivered to H.M. Greffier within the period aforesaid ;
- (b) shall be accompanied by an instrument in writing signed by the appellant nominating some person as an ordinary member of the Arbitration Tribunal hereinafter referred to and countersigned by such person so as to denote that that person is willing to serve in that capacity.

In the case of the nomination of an ordinary member of the Arbitration Tribunal by one of several joint owners it shall be presumed until the contrary is shown that that nomination is acceptable to the other joint owners. In the event of the nomination of more than one person as an ordinary member of the Arbitration Tribunal by joint owners, it shall be the duty of the joint owners within seven days of being required, either personally or by notice posted at the ordinary "lieux d'affiche", so to do by H.M. Greffier to decide and notify H.M. Greffier which one of the persons nominated is acceptable to all the joint owners as an ordinary member of the Arbitration Tribunal. In default of such decision and notification the selection of such ordinary member shall be determined by lot by H.M. Greffier from among

1947

the persons nominated. In the event of the person so selected refusing to serve, H.M. Greffier shall select some other competent and impartial person willing to serve and that person shall be a member of the Arbitration Tribunal accordingly.

8. The Arbitration Tribunal shall consist of a Chairman, nominated by His Excellency the Lieutenant-Governor, having a casting vote only, and two Ordinary Members, one appointed on behalf of the States and the other appointed by or selected as aforesaid by or on behalf of the other party to the dispute.

9. The decision of the Arbitration Tribunal shall be recorded in writing and two copies thereof signed by the Chairman, shall be delivered by the Chairman to H.M. Greffier who shall post one in his office and file the other for purposes of record. Such decision shall, if the original valuation of the Board of Valuers be varied thereby, be expressed in sterling and in terms of "rente" on the same relative basis as in the case of the original valuation.

COSTS OF VALUATION AND ARBITRATION.

10.—(a) The costs of the valuation by the Board of Valuers shall be borne by the States.

(b) On an appeal from the valuation of the Board of Valuers, in the event of the valuation appealed from being upheld, the costs of the arbitration shall be borne by the appellant; in the event of the valuation being varied, the award of the costs of the arbitration shall be in the discretion of the Arbitration Tribunal.

INDEMNITY

11. The Report of the Board of Valuers if no appeal therefrom is pursued and the Decision of the Arbitration Tribunal on an appeal, shall be

1947

final and conclusive and the indemnity expressed therein in terms of "rente" shall be the indemnity owing by the States in respect of the acquisition of the premises concerned and a copy of that Report, or of that Decision, as the case may be, duly certified as correct by H.M. Greffier shall constitute a valid and sufficient title to the "rente" representing that indemnity.

12. Any "rente" owing by the States by way of indemnity determined as aforesaid shall:—

- (a) be payable by the States on the 10th day of October of each year at the rate of Twelve shillings per quarter of "rente" commencing to accrue as on and from the date of the acquisition of the premises to which the "rente" relates; and
 - (b) shall be redeemable by the States at any time at the rate of Twenty pounds sterling per quarter and upon payment of the proportion accrued in respect of the year then current at the time of the said redemption; and
 - (c) shall be redeemed by the States upon the terms aforesaid upon the States being required by the "credentiers" to redeem the same and upon clearance to the reasonable satisfaction of the States of all hypothecary rights and other encumbrances secured by virtue of this Law or otherwise against the same.
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(Registered on the Records on the 29th September, 1947.)

1947

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of August, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

MR. ALEXANDER.

MR. GREENWOOD

(Acting for the Lord President).

MR. TOM WILLIAMS.

MR. HENDERSON.

WHEREAS there was this day read at the Board a Report from the Judicial Committee of the Privy Council dated the 28th day of July, 1947, in the words following viz :—

Percy Le
Prevost—
Petition for
leave to
appeal dis-
missed.

“ WHEREAS by virtue of His late Majesty King Edward the Seventh's Order in Council on the 18th day of October, 1909, there was referred unto this Committee a humble Petition of Percy Le Prevost praying for special leave to appeal to Your Majesty in Council from a Judgment of the Royal Court of Guernsey dated the 10th day of June, 1947, and pronounced in the matter of the conviction of the Petitioner by the said Court of murder.

“ THE LORDS OF THE COMMITTEE in obedience to His late Majesty's said Order in Council have taken the said humble Petition into consideration and having heard Counsel in support thereof Their Lordships do this day agree humbly to report to Your Majesty as their opinion that the said Petition ought to be dismissed.”

HIS MAJESTY having taken the said Report into consideration was pleased by and with the advice of His Privy Council to approve thereof and to order as it is hereby ordered that the same be punctually observed obeyed and carried into execution.

1947

WHEREOF the Bailiff and Jurats of the Royal Court of the Island of Guernsey for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

E. C. E. LEADBITTER.

(Registered on the Records on the 3rd October, 1947.)

AT THE COURT AT BALMORAL,

The 13th day of September, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

EARL OF ATHLONE.

MR. SECRETARY WESTWOOD.

MR. GARDINER.

Exchange
Control
(Special
Provisions)
Law, 1947.

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 11th day of September, 1947, in the words following, viz :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That the States of Deliberation at a meeting held on the 23rd day of July, 1947, considered a Bill or “ *Projet de Loi* ” entitled “ Exchange Control (Special Provisions) Law, 1947 ”, which Bill is designed to apply throughout the Bailiwick of the Island of Guernsey, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for your Royal Sanction thereto. 2.—That, at a sitting of the States of the Island of Alderney held on the 18th July, 1947, the said Bill or “ *Projet de Loi* ”

1947

was duly considered when a resolution was passed approving the same. 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “*Exchange Control (Special Provisions) Law, 1947*”, and to order and direct that the same shall have force of Law in the Bailiwick of 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 Bailiwick of 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.

EDWARD FORD.

1947

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“ EXCHANGE CONTROL (SPECIAL
PROVISIONS) LAW, 1947 ”.

Whereas it is necessary to conserve the Exchange resources of the United Kingdom and other members of the Sterling Area and to apply those resources in the manner most expedient for the maintenance of the economic life of the countries comprised in that Area ;

And whereas for these purposes there has been enacted in the United Kingdom an Act entitled the Exchange Control Act, 1947 ;

And whereas provision is made in the said Act for the extension thereof, with such modifications, if any, as His Majesty may by Order in Council specify, to the Channel Islands ;

Now, therefore, the States, being of the opinion that the maintenance of the economic life of the Bailiwick of the Island of Guernsey requires that it shall be a member of the Sterling Area, have approved the following provision which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the said Bailiwick :

Any Order or other Instrument made by the Treasury under the Exchange Control Act, 1947, as extended to the Channel Islands, shall have effect in the said Bailiwick without registration therein from the day upon which such Order or other Instrument is expressed to come into operation.

*(Registered on the Records on the 3rd October, 1947.)*1947

STATUTORY RULES AND ORDERS

1947 No. 2034.

EXCHANGE CONTROL

Channel Islands

THE EXCHANGE CONTROL (CHANNEL ISLANDS)
ORDER, 1947.

AT THE COURT AT BALMORAL,

The 13th day of September, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.

EARL OF ATHLONE.

MR. SECRETARY WESTWOOD.

MR. GARDINER.

WHEREAS by subsection (3) of section forty-three of the Exchange Control Act, 1947 (*a*), hereinafter referred to as "the Act of 1947," it is provided that His Majesty may by Order in Council direct that any of the provisions of the said Act other than section forty-three thereof shall extend, with such modifications, if any, as may be specified in the Order, to any of the Channel Islands :

Exchange
Control
(Channel
Islands)
Order, 1947.

AND WHEREAS it is expedient that the provisions of the Act of 1947 specified in Article 1 of this Order shall extend to the Channel Islands with the modifications specified in the Schedule hereto :

NOW THEREFORE, His Majesty, in pursuance of subsection (3) of section forty-three of the Act of 1947 and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Majesty's Privy Council, to order, and it is hereby ordered as follows :—

(a) 10 & 11 Geo. 6. c. 14.

- 1947
 Extension of Act of 1947 to Channel Islands.
1. The provisions of the Act of 1947 other than sections thirty-eight and forty-three thereof shall extend to the Channel Islands with, in the case of the provisions specified in the first column of the Schedule hereto, the modifications specified in relation thereto in the second column of the said Schedule.
- Definition.
2. In this Order the expression " Channel Islands " means Jersey and Guernsey and references to Jersey and Guernsey shall be construed as references to the Bailiwicks of Jersey and Guernsey respectively and to the territorial waters thereof.
- Interpretation.
3. The Interpretation Act, 1889 (*a*), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
- Commencement.
4. Notwithstanding the registration of this Order upon the records of the Channel Islands, the Act of 1947 as extended by this Order shall come into force therein only on such day as the Treasury may by order appoint, and different days may be appointed for different purposes and for different provisions thereof.
- Citation.
5. This Order may be cited as the Exchange Control (Channel Islands) Order, 1947.

EDWARD FORD.

SCHEDULE.

MODIFICATIONS.

- The whole Act Save as regards subsection (1) of Section 44, references to the Act of 1947 shall be construed as references to that Act as extended by this Order.
- Section 1 In subsections (1), (2) and (3), for the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ".

(*a*) 52 & 53 Vict c. 63.

1947

- Section 2 In subsection (1), for the words " United Kingdom ", there shall be substituted the words " Channel Islands ".
- Section 3 (a) In subsection (1), for the words " United Kingdom ", where they first occur, there shall be substituted the words " Channel Islands ", and after the words " United Kingdom ", where they secondly occur, there shall be inserted the words " or the Channel Islands ";
- (b) In subsection (2), for the words " United Kingdom ", where they first occur, there shall be substituted the words " Channel Islands ", and after the words " United Kingdom ", where they secondly occur, there shall be inserted the words " or the Channel Islands ".
- Section 4 In subsection (4), for the words " United Kingdom " there shall be substituted the words " Channel Islands ".
- Section 5 For the words " United Kingdom " there shall be substituted the words " Channel Islands ".
- Section 6 In subsection (1), for the words " United Kingdom ", where they first occur, there shall be substituted the words " Channel Islands ", and after the words " United Kingdom ", where they secondly occur, there shall be inserted the words " and the Channel Islands ".
- Section 7 In subsection (1), for the words " United Kingdom ", wherever those words occur, there shall be

ORDERS IN COUNCIL

substituted the words " Channel Islands ".

Section 8

(a) In subsection (1), for the words " United Kingdom ", where they first and secondly occur, there shall be substituted the words " Channel Islands ", and after the words " United Kingdom ", where they thirdly occur, there shall be inserted the words " or the Channel Islands ";

(b) In subsection (2), for the words " the Companies Act, 1929, or the corresponding Act in force in Northern Ireland " there shall be substituted the words " any law relating to limited liability companies in force in the Channel Islands ", and the reference to " the said Acts " shall be deemed to be a reference to any such law.

Section 9

(a) In subsection (1), after the words " United Kingdom ", where they first and thirdly occur, there shall be inserted the words " or the Channel Islands ", and for the words " United Kingdom ", where they secondly occur, there shall be substituted the words " Channel Islands ";

(b) In subsection (2), after the words " United Kingdom ", where they first occur there shall be inserted the words " or the Channel Islands ", and for the words " United Kingdom ", where they secondly and thirdly occur, there shall be substituted the words " Channel Islands ";

1947

(c) In subsection (3), for the words "United Kingdom", wherever they occur, there shall be substituted the words "Channel Islands".

Section 10 For the words "United Kingdom", wherever they occur, there shall be substituted the words "Channel Islands".

Section 11 For the words "United Kingdom", where they first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", wherever else they occur, there shall be inserted the words "or the Channel Islands".

Section 12 For the words "United Kingdom", where they first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", wherever else they occur, there shall be inserted the words "or the Channel Islands".

Section 13 For the words "United Kingdom", wherever they occur, there shall be substituted the words "Channel Islands".

Section 14 For the words "United Kingdom", wherever they occur, there shall be substituted the words "Channel Islands".

Section 15 (a) In subsection (1), after the words "United Kingdom" there shall be inserted the words "or the Channel Islands";

(b) In subsection (2), after the words "United Kingdom", where they first and thirdly occur, there shall

ORDERS IN COUNCIL

be inserted the words " or the Channel Islands ", and for the words " United Kingdom ", where they secondly occur, there shall be substituted the words " Channel Islands ";

(c) In subsection (4), for the words " United Kingdom " there shall be substituted the words " Channel Islands ";

(d) In subsections (6) and (7), for the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ".

Section 16 In the proviso to subsection (2), for the words " United Kingdom " there shall be substituted the words " Channel Islands ", and at the end of that proviso there shall be added " For the purposes of this proviso the expressions ' trustee in bankruptcy ' and ' personal representative ' mean the person charged with the administration of the property of the bankrupt or of the deceased person, as the case may be."

Section 17 In subsection (2), for the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ".

Section 20 (a) In subsections (1) and (7), after the words " United Kingdom ", wherever they occur, there shall be inserted the words " or the Channel Islands ";

- (b) In paragraph (b) of subsection (4), for the words "personal representative, trustee in bankruptcy" there shall be substituted the words "person charged with the administration of the property of the deceased person or of the bankrupt, as the case may be".
- Section 21 In subsection (1), for the words "United Kingdom", where they first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", where they thirdly occur, there shall be inserted the words "or of the Channel Islands".
- Section 22 In subsection (1), for the words "United Kingdom", where they first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", where they thirdly occur, there shall be inserted the words "or of the Channel Islands".
- Section 23 (a) In subsection (1), for the words "United Kingdom", where they first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", where they secondly occur, there shall be inserted the words "or the Channel Islands";
- (b) After subsection (4) there shall be added the following subsection (5)—
- " (5) References in this section to the Commissioners of

1947

Customs and Excise shall be construed, in relation to Jersey, as references to the Agent of the Impôts, and, in relation to Guernsey, as references to the States Supervisor”.

- Section 24 (a) In subsection (1), for the words “ United Kingdom ”, where they first occur, there shall be substituted the words “ Channel Islands ”, and after the words “ United Kingdom ”, where they secondly occur, there shall be inserted the words “ or the Channel Islands ” ;
- (b) In subsection (2), for the words “ United Kingdom ” there shall be substituted the words “ Channel Islands ”.
- Section 25 For the words “ United Kingdom ”, wherever they occur, there shall be substituted the words “ Channel Islands ”.
- Section 28 In subsection (1), for the words “ United Kingdom ” there shall be substituted the words “ Channel Islands ”.
- Section 29 In subsection (1), for the words “ United Kingdom ” there shall be substituted the words “ Channel Islands ”.
- Section 30 (a) In subsection (1), for the words “ United Kingdom ” there shall be substituted the words “ Channel Islands ” ;
- (b) In subsection (2), for the words “ United Kingdom ”, where they

1947

first occur, there shall be substituted the words "Channel Islands", and after the words "United Kingdom", where they secondly and thirdly occur, there shall be inserted the words "or the Channel Islands";

(c) In subsections (3) and (4), for the words "United Kingdom" there shall be substituted the words "Channel Islands".

Section 34 In subsection (2), for the words "United Kingdom", wherever they occur, there shall be substituted the words "Channel Islands".

Section 35 In subsection (2), after the words "United Kingdom" there shall be inserted the words "or any of the Insular Governments of the Channel Islands".

Section 36 (a) For subsection (2) there shall be substituted the following subsection—

"(2) Any Order or other Instrument made by the Treasury under this Act shall have effect in the Channel Islands without registration therein from the day upon which such Order or other Instrument is expressed to come into operation :

Provided always that immediately upon the making thereof every such Order or other Instrument shall be transmitted to the Bailiffs of Jersey and

ORDERS IN COUNCIL

- Guernsey and shall be communicated by those Bailiffs respectively to the Royal Courts of Jersey and Guernsey for registration or lodging as the circumstances may require.”;
- (b) Subsections (3) and (4) shall be omitted.
- Section 40** For the words “ United Kingdom ”, wherever they occur, there shall be substituted the words “ Channel Islands ”.
- Section 41** In subsection (1), for the words “ a personal representative ” there shall be substituted the words “ the person charged with the administration of the property ”, and for the words “ the personal representative ” there shall be substituted the words “ that person ”.
- Section 42** (a) In subsection (4), after the words “ United Kingdom ” there shall be inserted the words “ or the Channel Islands ” ;
- (b) In subsection (5), for the words “ United Kingdom ”, there shall be substituted the words “ Channel Islands ”.
- Section 44** (a) In subsection (2), the reference to the Defence (Finance) Regulations, 1939, shall be construed as references to the Defence (Finance) (Jersey) Regulations, 1945, the Defence (Finance) (Guernsey) Regulations, 1945, and the Defence (Finance) (Alderney) Regulations, 1945, respectively ;
- (b) Subsection (3) shall be omitted.

SECOND SCHEDULE.

1947

Paragraph 1 After the words " United Kingdom ", where they first occur, there shall be inserted the words " or the Channel Islands ", and for the words " United Kingdom ", wherever else they occur, there shall be substituted the words " Channel Islands ".

Paragraph 2 For the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ".

THIRD SCHEDULE.

Paragraph 1 After the words " United Kingdom " there shall be inserted the words " or the Channel Islands ".

Paragraph 5 For the words " United Kingdom " there shall be substituted the words " Channel Islands ", and at the end thereof there shall be added " For the purposes of this paragraph the expressions ' trustee in bankruptcy ' and ' personal representative ' mean the person charged with the administration of the property of the bankrupt or of the deceased person, as the case may be ".

FOURTH SCHEDULE.

Paragraph 1 For the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ".

Paragraph 2 For the words " United Kingdom " there shall be substituted the words " Channel Islands ".

1947

Paragraph 3 After sub-paragraph (c), the remainder of the paragraph, including the proviso, shall be omitted and the following shall be substituted—

“ may be made, as respects Jersey, by the Royal Court of Jersey and, as respects Guernsey by the Royal Court of the Island of Guernsey”.

Paragraph 4 The following paragraph shall be substituted—

“ 4. In any proceedings, including any arbitration proceedings, a claim for the recovery of any debt shall not be defeated by reason only of the debt not being payable without the permission of the Treasury and of that permission not having been given or having been revoked”.

Paragraph 5 In sub-paragraph (1), for the words “ United Kingdom ” there shall be substituted the words “ Channel Islands ”.

Paragraphs 6,

7 and 8 These paragraphs shall be omitted.

FIFTH SCHEDULE.

PART I.

Paragraph 1 For sub-paragraph (1) there shall be substituted the following sub-paragraph—

“ (1) Without prejudice to any other provisions of this Act, the Bailiff may give to any person in or resident within his Bailiwick

1947

directions requiring that person, within such time and in such manner as may be specified in the directions, to furnish to any person designated in the directions as a person authorised to require it any information in his possession or control which the person so authorised may require for the purpose of securing compliance with or detecting evasion of this Act."

Paragraph 2 (a) In sub-paragraph (1), for the expression "a justice of the peace" there shall be substituted the expression "the Bailiff", and references to a constable shall be construed as including references to any other officer of police;

(b) For sub-paragraph (4) there shall be substituted the following sub-paragraph—

"(4) In this paragraph, the expression 'the Bailiff' means the Bailiff of Jersey or Guernsey as the case may require, and includes any person lawfully performing the functions of the Bailiff."

Paragraph 3 In sub-paragraph (2), the reference to a constable shall be construed as including a reference to any other officer of police.

Paragraph 4 For the words "United Kingdom" there shall be substituted the words "Channel Islands".

1947

PART II.

- Paragraph 1 (a) In subparagraph (1), for the words " United Kingdom " there shall be substituted the words " Channel Islands ";
- (b) Clauses (a) and (b) of sub-paragraph (3) shall be omitted and the following shall be substituted therefor—
- " on conviction to imprisonment for not more than two years or to a fine or to both ;"
- (c) In sub-paragraph (4), the words from the beginning thereof to and including the word " where " shall be omitted and the following shall be substituted therefor—
- " Except in the case of the conviction of a body corporate the maximum fine which may be imposed for an offence punishable under this Part of this Schedule shall be one thousand pounds, so however that where ";
- (d) Sub-paragraph (5) shall be omitted.
- Paragraph 2 (a) Sub-paragraphs (1) and (5) shall be omitted ; II
- (b) For sub-paragraph (2) there shall be substituted the following sub-paragraph—
- " (2) Proceedings against any person in respect of an offence punishable under this Part of this Schedule committed in Jersey or Guernsey shall be taken

before the Royal Court of Jersey or the Royal Court of the Island of Guernsey, as the case may be.”;

1947

- (c) For sub-paragraph (3) there shall be substituted the following sub-paragraph—

“ (3) Any proceedings which may be taken against any person in respect of any offence punishable under this Part of this Schedule may be taken at any time within twelve months from the date of the commission of the offence or within three months from the date on which evidence sufficient in the opinion of the Attorney General for Jersey or Guernsey, as the case may be, to justify the proceedings comes to the knowledge of the Treasury, whichever period last expires, or, where the person in question was outside the Channel Islands at the date last mentioned, within twelve months from the date on which he first lands in the Channel Islands thereafter.”;

- (d) For sub-paragraph (4) there shall be substituted the following sub-paragraph—

“ (4) For the purposes of this paragraph a certificate of the Treasury as to the date on which such evidence as aforesaid came to the knowledge of the Treasury shall be conclusive evidence thereof.”

1947 Paragraphs 3
and 4

These paragraphs shall be omitted.

PART III.

Paragraph 1 At the end of sub-paragraph (1) there shall be added the words " and for the purposes of the said Part IV any reference in the said enactments to the United Kingdom shall, unless the context otherwise requires, be construed as including a reference to the Channel Islands ".

*

Paragraph 4 For the words " United Kingdom ", wherever they occur, there shall be substituted the words " Channel Islands ", and for the words " an officer of Customs or an immigration officer ", there shall be substituted, in relation to Jersey, the words " an officer of the Impôts, or an Aliens Officer ", and, in relation to Guernsey, " a States of Guernsey Customs Officer or a States of Guernsey immigration officer. "

SIXTH SCHEDULE.

The whole Schedule shall be omitted.

(Registered on the Records on the 6th October, 1947.)

Exchange
Control
Orders.

The Bailiff having this day placed before the Court four Orders of His Majesty's Treasury entitled respectively :—

1. Exchange Control (Prescribed Courts) Order, 1947, (S.R. & O. No. 2046)

* Paragraph 3A inserted by the Exchange Control (Channel Islands) Order, 1950.

2. Exchange Control (Transfer from Custodian Exemption) Order, 1947 (S.R. & O. No. 2051)
3. Exchange Control (Transitional Provisions) Order, 1947 (S.R. & O. No. 2052)
4. Exchange Control—Enforcement (S.R. & O. No. 2055)

 1947

The Court, having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island by being filed at the Greffe, and that an extract of this Act of Court together with a copy of each of the said Orders be sent by H.M. Greffier to the Judge of Alderney and to the Seneschal of Sark for registration by filing on the Records of those Islands.

(Registered on the Records on the 6th October, 1947.)

The Bailiff having this day placed before the Court eighteen Orders of His Majesty's Treasury entitled respectively:—

**Exchange
Control
Orders.**

1. Exchange Control—Commencement of 1947 Act (No. 2035).
2. Exchange Control (Authorised Depositories) Order, 1947 (No. 2036).
3. Exchange Control (Bailees Exemption) Order, 1947 (No. 2037).
4. Exchange Control (Blocked Accounts) Order, 1947 (No. 2038).
5. Exchange Control (Branches) Order, 1947 (No. 2039).
6. Exchange Control (Collectors' Pieces Exemption) Order, 1947 (No. 2040).
7. Exchange Control (Declarations and Evidence) Order, 1947 (No. 2041).
8. Exchange Control (Definition of Scheduled Territories) Order, 1947 (No. 2042).

1947

9. Exchange Control (Deposit of Securities) (Exemption) Order, 1947 (No. 2043).
10. Exchange Control (Import and Export) Order 1947 (No. 2044).
11. Exchange Control (Lending to Banks Exemption) Order, 1947 (No. 2045).
12. Exchange Control (Prescribed Securities) Order, 1947 (No. 2047).
13. Exchange Control (Specified Currency) Order, 1947 (No. 2048).
14. Exchange Control (Temporary Visitors' Exemption) Order, 1947 (No. 2049).
15. Exchange Control (Traders in Coin) Order, 1947 (No. 2050).
16. Exchange Control (Transitional Provisions) (Channel Islands) Order, 1947 (No. 2053).
17. Exchange Control—Determination of Residence (No. 2054).
18. Exchange Control—Enforcement (No. 2056).

The Court, having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this Act together with a copy of each of the said Orders be sent by H.M. Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 10th October, 1947.)

Treaties
of Peace
(Italy,
Roumania,
Bulgaria,
Hungary
and Finland)
Act, 1947.

The Lieutenant Bailiff having this day placed before the Court an Order of His Majesty in Council dated September 13th, 1947, transmitting copies of an Act of Parliament entitled "The Treaties of Peace (Italy, Roumania, Bulgaria, Hungary and Finland) Act, 1947",—The Court, after the reading of the said Order in Council and having heard His Majesty's Procureur, ordered :—

1947

1. That the said Order in Council be registered on the Records of this Island.
2. That a copy of the said Act of Parliament be registered on the said Records by being filed at the Greffe.
3. That an extract of this Act of Court together with a copy of the said Order in Council and of the said Act of Parliament be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 5th November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 14th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

MR. SECRETARY NOEL-BAKER.

MR. SECRETARY SHINWELL.

MR. SECRETARY HENDERSON.

MR. SECRETARY WOODBURN.

MR. WILSON.

MR. GAITSKELL.

MR. STRAUSS.

MR. WHEATLEY.

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 September, 1947, in the words following, viz :—

The States
Water
Supply
Law, 1947.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ I.—That the States of Deliberation at a meeting held on the 23rd day of July, 1947, considered a Bill or “*Projet de Loi*” entitled

1947

“ The States Water Supply Laws 1927 to 1946, (Amendment) Law, 1947,” when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “ *Projet de Loi* ” of the States of Guernsey entitled “ The States Water Supply Laws 1927 to 1946, (Amendment) Law, 1947,” and to order and direct that the same shall have 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.

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

* "THE STATES WATER SUPPLY LAWS
1927 TO 1946, (AMENDMENT) LAW, 1947".

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

1.—In the second paragraph of Article 14 of the Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de cette Ile registered on the Records of this Island on the 7th day of May, 1927 (which said paragraph was inserted therein by the Law entitled "Loi de 1946 amendant la Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the Records of this Island on the 1st day of June 1946), the words "letting value" are hereby deleted and the words "rateable value" substituted therefor.

"Rateable value" substituted for "letting value".

2.—This Law may be cited as "The States Water Supply Law, 1947", and the States Water Supply Laws 1927 to 1946 and this Law may be cited together as "The States Water Supply Laws, 1927 to 1947".

Citation.

*Repealed by the States Water Supply Laws, 1927 to 1947, (Amendment) (Guernsey) Law, 1951.

1947

(Registered on the Records on the 8th November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.

EARL OF LISTOWEL.

MR. TOMLINSON.

MR. KEY.

Applica-
tion to
Guernsey of
the Incum-
bents (Dis-
ability)
Measure,
1945, and the
Incumbents
(Discipline)
Measure,
1947.

IT is this day ordered by His Majesty, by and with the advice of His Privy Council, that printed copies of the following named Order in Council be transmitted to the Royal Court of the Island of Guernsey, viz :—

Order in Council dated the 28th day of October, 1947, made in pursuance of the Channel Islands (Church Legislation) Measure, 1931.

AND it is hereby further ordered that the said Order in Council be registered and published in the Island of Guernsey, not as being essential to its operation therein, but that His Majesty's subjects in the Bailiwick may have notice of the said Order in Council having passed, and that they are bound thereby.

AND the Lieutenant-Governor or Commander-in-Chief for the time being of the Island of Guernsey, and its Dependencies, and all other persons whom it may concern, are to take notice of His Majesty's pleasure hereby signified, and govern themselves accordingly.

E. C. E. LEADBITTER.

1947

Order in Council referred to in the foregoing
Order in Council.

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is provided by section two of the Channel Islands (Church Legislation) Measure, 1931, that any Measure which receives the Royal Assent after the passing of that Measure which contains an express provision that it may be applied to the Islands, or either of them, in accordance with that Measure, may, within two years after its passing, be so applied in accordance with the procedure set out in the Schedule to that Measure :

AND WHEREAS it is provided by section sixteen of the Incumbents (Disability) Measure, 1945, that that measure may at any time before the expiration of two years from the date declared under section one of the Emergency Legislation Measure, 1944, to be the date on which the emergency that was the occasion of the passing of the Clergy (National Emergency Precautions) Measure, 1939, be applied to the Channel Islands, or either of them, in accordance with the procedure set out in the Schedule to the Channel Islands (Church Legislation) Measure, 1931 :

AND WHEREAS section twenty-five of the Incumbents (Discipline) Measure, 1947, contains a similar condition for the application of that Measure to the Channel Islands, or either of them :

AND WHEREAS the date declared under section one of the Emergency Legislation Measure, 1944, to be the date on which the emergency that was the

1947

occasion of the passing of the Clergy (National Emergency Precautions) Measure, 1939, came to an end was the fifteenth day of November, 1945 :

AND WHEREAS the Bishop, in exercise of the powers conferred by and in conformity with the provisions of paragraphs 1, 2 and 3 of the Schedule to the Channel Islands (Church Legislation) Measure, 1931, has prepared and presented to the Church Assembly the Scheme set out in the Schedule to this Order :

AND WHEREAS the Church Assembly has, in accordance with the provisions of paragraph 4 of the Schedule to the above-mentioned Measure, by Resolution approved the said Scheme :

NOW, THEREFORE, in pursuance of the above-mentioned Measure, His Majesty is pleased, by and with the advice of His Privy Council, to order and declare as follows :—

1. The Scheme set out in the Schedule to this Order is hereby confirmed.
2. The Incumbents (Disability) Measure, 1945, and the Incumbents (Discipline) Measure, 1947, shall apply to the Island of Guernsey in accordance with the provisions of the said Scheme.

E. C. E. LEADBITTER.

SCHEDULE

A SCHEME PREPARED BY THE BISHOP OF WINCHESTER IN PURSUANCE OF THE CHANNEL ISLANDS (CHURCH LEGISLATION) MEASURE, 1931, FOR APPLYING THE INCUMBENTS (DISABILITY) MEASURE, 1945, AND THE INCUMBENTS (DISCIPLINE) MEASURE, 1947, TO THE ISLAND OF GUERNSEY.

PREAMBLE

1947

1. Whereas by section two of the Channel Islands (Church Legislation) Measure, 1931, it is provided that any Measure receiving the Royal Assent after the passing of that Measure which contains an express provision that it may be applied to the Islands or either of them in accordance with that Measure may within two years after its passing be so applied in accordance with the procedure set out in the Schedule to that Measure.

2. And whereas by section sixteen of the Incumbents (Disability) Measure, 1945, it is provided that that Measure may at any time before the expiration of two years from the date declared under section one of the Emergency Legislation Measure, 1944, to be the date on which the emergency that was the occasion of the passing of the Clergy (National Emergency Precautions) Measure, 1939, came to an end be applied to the Channel Islands, or either of them, as defined in the Channel Islands (Church Legislation) Measure, 1931, in accordance with the procedure set out in the Schedule to that Measure.

3. And whereas section twenty-five of the Incumbents (Discipline) Measure, 1947, contains a similar provision for the application of that Measure to the Channel Islands or either of them.

4. And whereas the date declared under section one of the Emergency Legislation Measure, 1944, to be the date on which the emergency that was the occasion of the passing of the Clergy (National Emergency Precautions) Measure, 1939, came to an end was the fifteenth day of November, 1945.

5. And whereas the Bishop of Winchester has come to the conclusion that the Incumbents (Disability) Measure, 1945, and the Incumbents (Discipline) Measure, 1947, ought to be applied with certain variations to the Channel Islands and has

1947

in accordance with the provisions of paragraph 1 of the said Schedule prepared the following Scheme for the purpose :

6. And whereas the provisions of paragraphs 2, 3 and 4 of the said Schedule have been complied with.

SCHEME

1. The Incumbents (Disability) Measure, 1945, and the Incumbents (Discipline) Measure, 1947, shall apply to the Island of Guernsey subject to the following variations, that is to say :—

- (1) For the Ministerial Committee referred to in the said Measures there shall be substituted for the Island of Guernsey a Ministerial Committee consisting of clerks in Holy Orders beneficed or licensed under seal to officiate within that Island elected in accordance with the provisions of the Schedule to this scheme ; and the First Schedule to the Incumbents (Disability) Measure, 1945, shall not apply to the Island.
- (2) In the proviso to subsection (1) of Section four of the Incumbents (Disability) Measure, 1945, the word “ three ” shall be substituted for the words “ four ” and “ five ” respectively.
- (3) In paragraph (ii) of Section seven of the said Measure the expression “ Clergy Pensions Measures 1926 to 1936 ” shall be construed as meaning the Clergy Pensions Measures 1926 to 1928, and any Measure extending, amending or consolidating the same which has been or may hereafter be applied to the Channel Islands.
- (4) In the proviso to subsection (1) of Section six of the Incumbents (Discipline) Measure, 1947, the word “ three ” shall be substituted for the word “ four ”.

SCHEDULE

1947

MINISTERIAL COMMITTEE FOR GUERNSEY

PART I

Constitution

1.—(1) The Clerks in Holy Orders beneficed or licensed under seal to officiate within the Island of Guernsey shall elect from among themselves seven persons to be the members of the Committee :

Provided that no person shall be a member of the Committee of the Island while he shall for the time being hold the office of Dean of the Island.

(2) (a) An election of the Committee shall be held in the Island at a time to be appointed by the bishop as soon as may be practicable after the confirmation of this Scheme and the members so elected shall be elected for such a period expiring not more than four years after the confirmation of this Scheme as the bishop of the diocese shall by writing under his hand determine.

(b) Subject to the provisions of the foregoing sub-paragraph and of Part III of this Schedule, elections shall be held in every third calendar year at a time to be appointed by the bishop.

(3) Every election shall be conducted by such person as shall be appointed for the purpose by the bishop and candidates for election shall be nominated and seconded in writing by persons qualified to vote at such election. No person shall be nominated unless he shall have first signified in writing his consent to serve.

(4) Notice of any election together with a nomination paper shall be sent to every clerk in Holy Orders beneficed or licensed under seal to officiate in the Island and a period of not less than fourteen days shall be allowed for the making of nominations. If after the expiration of this period

1947

fewer than the required number of persons shall have been nominated, the bishop shall have power to nominate a sufficient number of persons to make up the required number.

(5) Voting papers with the names in alphabetical order of the persons nominated shall be sent to all electors and such papers shall be signed on the back by the person voting and returned through the post to the person conducting the election. The election shall be made according to the principle of proportional representation by the method of the single transferable vote under rules to be approved from time to time by the archbishop of the province.

(6) Each candidate shall have the right to be present or to nominate one of the electors to be present on his behalf at the counting of the votes.

(7) If more than the required number of persons has been nominated, the four candidates who obtain the four highest places in the election shall be ordinary members of the Committee, and the three who obtain the next three places shall be reserve members. If not more than the required number of persons has been nominated the election shall be held for the first four places only and the four candidates so elected shall be the ordinary members of the Committee and the remaining three candidates shall be the reserve members.

(8) Every election of ordinary members and reserve members of the Committee under the foregoing provisions of this Schedule shall forthwith be certified to the bishop in writing under the hand of the person conducting the election and any such certificate shall be conclusive evidence of the due election of any person therein mentioned.

2. Everything which the Committee are by the Incumbents (Disability) Measure, 1945, and by the Incumbents (Discipline) Measure, 1947, required

1947

or empowered to do shall be done by the four ordinary members of the Committee provided that—

- (1) if any ordinary member of the Committee shall vacate his office or be unable or unwilling to act in any particular case he shall nominate one of the reserve members of the Committee to serve accordingly :
- (2) if for any reason he is unable or unwilling to nominate a reserve member or fails to do so within fourteen days after being requested by the Chairman of the Committee in writing to do so, the chairman shall nominate a reserve member :
- (3) the reserve member nominated under either of the preceding paragraphs of this proviso shall for the purpose for which he is nominated have all the powers of an ordinary member of the Committee.

3. If during the course of the inquiry in any case any member of the Committee serving in the case retires or becomes unable to act, the inquiry shall nevertheless proceed unless any of the parties thereto shall object ; but if such objection be raised the inquiry shall be recommenced.

4. The ordinary members and the reserve members of the Committee shall, subject to the provisions of paragraphs 5 and 6 of this Part of this Schedule, hold office until the conclusion of the next ensuing election :

Provided that where the Committee have been instructed to act in any particular case, and at the conclusion of the next ensuing election have not completed their duties in respect of that case, the members of the Committee engaged in that case, shall continue in office for the purpose of that case only, and no new member elected at any such intervening election shall be qualified by reason of that election to act as a member of the Committee for the purposes of that case.

1947

5. An ordinary member or reserve member of the Committee shall be disqualified from acting as a member of the Committee for any purpose in any case in which he is himself the subject of an inquiry under this Measure or under any Statute or Measure relating to clerical discipline.

6. A member (whether an ordinary or reserve member) of the Committee shall vacate his office as soon as he shall have ceased for a period of three months to be qualified as an elector or as soon as any order shall have been made against him under any Statute or Measure relating to clerical discipline.

7. Whenever an ordinary member of the Committee shall for any reason vacate his office one of the reserve members nominated by such ordinary member shall forthwith fill the vacancy so created and thereafter have all powers of an ordinary member of the Committee.

PART II

Procedure

1. The Committee shall elect a chairman and shall have power to adjourn, and, subject to the provisions of the Incumbents (Disability) Measure, 1945, and the Incumbents (Discipline) Measure, 1947, to determine their own rules of procedure.

2. Except as otherwise expressly provided by the Incumbents (Disability) Measure, 1945, or the Incumbents (Discipline) Measure, 1947, every question submitted to a meeting shall be decided by a majority of the votes of those present, the chairman having a second or casting vote in the case of an equality of votes.

3. Three members shall be a quorum for a meeting of the Committee, and the Committee may act notwithstanding any vacancy in its body.

4. All proceedings at any meeting of the Committee shall be held in private.

PART III

1947

Special Provisions

In the carrying out of the provisions of this Schedule in the Island, the bishop shall have power which shall be exerciseable from time to time—

- (i) to direct that any election shall be held at a time earlier than that prescribed in Part I of this Schedule ;
- (ii) in any case in which any difficulty arises, to give any directions consistent with the provisions of this Schedule which he may consider expedient ;
- (iii) to make provision for any matter not provided for in this Schedule.

(Registered on the Records on the 14th November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 14th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

MR. SECRETARY NOEL-BAKER.

MR. SECRETARY SHINWELL.

MR. SECRETARY HENDERSON.

MR. SECRETARY WOODBURN.

MR. WILSON.

MR. GAITSKELL.

MR. STRAUSS.

MR. WHEATLEY.

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 September, 1947, in the words following, viz :—

Transfer of
£2,000 from
Impôt
Account to
Local
Account.
(Alderney).

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, Judge and President of the States of the Island of Alderney, setting forth :—

1947

' That Your Majesty was graciously pleased by Your Majesty's Order in Council to grant to the States of Alderney power to levy Impôt duties on certain commodities imported into and consumed in the Island the proceeds of such duties to be used for the purposes and under the conditions already sanctioned by Your Majesty. That at a Meeting of the States of Alderney holden before Your Petitioner on the 21st day of May, 1947, when the States took into consideration the Budget for the current year, the Impôt Account showed that after meeting the estimated expenditure for the purpose set forth in the said Order in Council, there would be a Credit balance of approximately Seven Thousand Pounds. That the Local Account owing to the heavy demand thereon mainly to meet the cost of subsidies on Flour and other essential commodities showed an estimated deficit of approximately One Thousand Five Hundred Pounds. That in order to meet the estimated deficit on the Local Fund and to supplement the revenues thereto the States were of opinion to authorise the President of the States 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 sanction the transfer of the sum of Two Thousand Pounds from the Impôt Account to the Local Account to meet the expenses of the current year. And most humbly praying Your Majesty to be graciously pleased to order that permission be granted to transfer the sum of Two Thousand Pounds from the Impôt Account to the Local Account, to meet the expenses of the current year.'

“ 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."

1947

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 transfer from the Impôt Account to the Local Account the sum specified in the said Petition for the purpose referred to in the said Petition.

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.

E. C. E. LEADBITTER.

(Registered on the Records on the 15th November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.

EARL OF LISTOWEL.

MR. TOMLINSON.

MR. KEY.

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 October, 1947, in the words following, viz :—

Salary of
Customs
Officer at
Alderney
Airport.

1947

“YOUR MAJESTY having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, Judge and President of the States of the Island of Alderney, setting forth :—

‘That at a Meeting of the States of Alderney holden before Your Petitioner on the 11th day of August, 1947, the States took into consideration a proposal regarding the appointment of an Officer of Customs for the duties connected therewith at the Airport in the Island of Alderney and to approve thereof and to fix the remuneration of such Officer. That the States were of opinion that the said salary might—subject to the sanction of His Majesty in Council—be a charge on the States Impôt Account. That at the said Meeting the States authorised Your Petitioner to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying that the salary of such Officer of Customs be a charge on the States Impôt Account. And most humbly praying Your Majesty to be graciously pleased to order that the salary of the Officer of Customs be a charge on the States Impôt Account.’

“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 salary of the said

Officer of Customs be a charge on the Impôt Account of the States of the Island of Alderney.

1947

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.

E. C. E. LEADBITTER.

(Registered on the Records on the 15th November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of October, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.
EARL OF LISTOWEL.
MR. TOMLINSON.
MR. KEY.

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 October, 1947, in the words following, viz :—

Law giving to the Court increased power to stay execution in Actions for Eviction (Alderney).

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, Judge and President of the States of the Island of Alderney, setting forth :—

1947

' That the Court of Alderney were of opinion that it might be desirable to adopt a similar Law to that in operation in the Island of Guernsey giving the Court increased power to stay execution in Actions for evictions. That on the 19th day of July, 1947, at a Meeting of the States of Alderney holden before Your Petitioner, the States took into consideration the Projet de Loi intituled Projet de Loi " Law giving the Court increased power to stay execution in Actions for Eviction " and were of opinion to approve the same and to authorise Your Petitioner to present in the name of the States a most humble Petition to Your Most Excellent Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And most humbly praying Your Majesty to grant thereto Your Royal Sanction and to order that the said Projet de Loi (a copy whereof is hereunto annexed) 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."

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.

1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order in Council.

LAW GIVING THE COURT INCREASED
POWER TO STAY EXECUTION IN ACTIONS
FOR EVICTION.

1. When the tenant or sub-tenant of a dwelling house or other premises is proceeded against for eviction from any dwelling house or premises, the Court may, having taken into consideration the position of the parties and all the circumstances of the case, make an order that execution of any order for eviction from the said premises be suspended during such time and upon such conditions as the Court may consider reasonable.

Suspension
of execution
of eviction
Order.

2. In considering the position of the parties and the circumstances of the case, with a view to deciding whether the Court should suspend execution of an eviction order, and if so, during what times and upon what terms such execution should be delayed, the Court shall take into account the following matters, inter alia :—

Matters to
be taken
into account.

- (a) Whether any rent lawfully due from the tenant or sub-tenant has not been paid, or any other obligation of the tenancy has been broken or not performed.

1947

- (b) Whether there is suitable alternative accommodation available for the tenant or sub-tenant, or whether such accommodation be available when the judgement or order takes effect.
- (c) Whether the tenant or sub-tenant or any person residing or lodging with him, or being his sub-tenant, has been guilty of conduct which is a nuisance or annoyance to adjoining occupiers.
- (d) Whether the condition of the premises has in the opinion of the Court deteriorated owing to the act, neglect or default of the tenant or sub-tenant or of any such person, and where such person is himself a lodger or sub-tenant of such tenant or sub-tenant, whether the Court is satisfied that such tenant or sub-tenant has not, before the making or giving of the order or judgment, taken such steps as he ought reasonably to take for the removal of such person.
- (e) Whether the tenant or sub-tenant has been convicted of using the premises or allowing the premises to be used for an immoral or illegal purpose.
- (f) Whether the tenant or sub-tenant has given notice to quit, and in consequence the landlord has contracted to sell or let the house, or has taken other steps as a result of which he would, in the opinion of the Court, be seriously prejudiced if he could not obtain possession.
- (g) Whether the premises consist of or include premises licensed for the sale of intoxicating liquor and the tenant or sub-tenant has committed an offence as holder of the licence, or has not conducted the premises to the satisfaction of the Court.

- (h) Whether the dwelling-house is so overcrowded as to be dangerous or injurious to the health of the inmates, and the Court is satisfied that the overcrowding could have been abated by the removal of any lodger or sub-tenant whom it would in all the circumstances of the case, including the question whether alternative accommodation is available for him, have been reasonable to remove, and the tenant or sub-tenant has not taken such steps as he ought reasonably to have taken for his removal.

1947

3. When the Court shall have made an order for delay of execution by virtue of the provisions of section 2 of this law, any person in respect of which the order was made, shall be at liberty to apply to the Court, on showing a change of circumstances arising since the making of such order, to vary such order, and thereupon the Court may vary such order as to the Court may seem reasonable.

Variation
of order.

(Registered on the Records on the 22nd November, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 28th day of October, 1947.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL.
EARL OF LISTOWEL.
MR. TOMLINSON.
MR. KEY.

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 October, 1947, in the words following, viz :—

Law amend-
ing the
Schedule to
the Law
relating to
Stamp
Duties
—Alderney

“ YOUR MAJESTY having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a

1947

humble Petition of Frederick George French, Judge and President of the States of the Island of Alderney setting forth :—

‘ That His Majesty was graciously pleased by His Majesty’s Order in Council dated the 10th day of August, 1922, to ratify the *Projet de Loi* intituled “ *Loi relative aux Droits de Timbre* ” and to order the same to have force of Law in His Majesty’s Island of Alderney. That at a Meeting of the States of Alderney holden before Your Petitioner on the 21st day of May, 1947, the States took into consideration the *Projet de Loi* intituled “ *Projet de Loi portant amendement a la Cédule à la Loi relative aux droits de timbre* ” and were of opinion to approve thereof, and to authorise Your Petitioner to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction and most humbly praying Your Majesty 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.

 1947

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order
in Council.

AMENDING THE SCHEDULE TO THE LAW RELATING TO STAMP DUTIES

1. Articles 20, 22, 24, 27, 28 and 29 of the Schedule to the Law relating to Stamp Duties sanctioned by Order of His Majesty in Council of the 10th August, 1922 registered on the Records of the Island of Guernsey, the 30th August, 1922 are and remain repealed.

2. There shall be substituted for the said Articles the following Articles namely :

	s.	d.
20. On any special procuracy named " Proxy "	0	2
22. On any assurance policy, signed or issued in this Island	0	2
24. On any receipt or discharge signed in this Island for £2 sterling or over ..	0	2

1947

	s. d.
27. On any cheque, bank note, promissory note, bills of exchange and other like document issued signed or payable in this Island	0 2
28. On any banker's draft issued or signed in this Island	0 2
29. On any certificate of birth, of baptism, of marriage or of death issued in this Island	0 2

Projet de Loi

PORTANT AMENDEMENT À LA CÉDULE À LA LOI RELATIVE AUX DROITS DE TIMBRE

Les Etats, ont approuvé les dispositions suivantes lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de Loi en cette Ile.

1. Les Articles 20, 22, 24, 27, 28 et 29 de la Cédule à la Loi relative aux Droits de Timbre enregistrée sur les Records le 30 août 1922 sont et demeureront rappelés.

2. Il sera substitué aux dits articles, les articles suivants, savoir :

	s. d.
20. Sur toute procuration speciale, anglieé " Proxy "	0 2
22. Sur toute police d'assurance signée ou émise en cette Ile	0 2
24. Sur tout reçu ou acquit signé en cette Ile pour une valeur de 2 stg., et au-dessus	0 2
27. Sur tout chèque, billet de banque, billet à ordre (promissory note) et sur tout billet de change ou pièce de semblable nature qu'il soit émis ou signé ou payable en cette Ile ..	0 2

	s.	d.	1947
28. Sur toute traite de banquier émanant de ou signée en cette Ile	0	2	
29. Sur tout certificat de naissance, de baptême, de mariage, ou de décès émanant de cette Ile	0	2	

(Registered on the Records on the 13th December, 1947.)

AT THE COURT AT BUCKINGHAM PALACE,

The 26th day of November, 1947.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY.

MR. SECRETARY CREECH JONES.

SIR ALAN LASCELLES.

MR. ISAACS.

MR. GRIFFITHS.

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 November, 1947, in the words following, viz :—

Increase in
Impôts
(Alderney).

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frederick George French, 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 11th day of June, 1947, to grant to the States of the Island of Alderney power to levy Impôt duties on certain commodities imported into and consumed in the said Island. That at a Meeting of the States of Alderney holden before Your Petitioner on the 11th day of August, 1947,

1947

the States took into consideration a proposal to increase the duties on certain of the commodities named in the aforesaid Order in Council and to approve thereof. That at the said Meeting of the States the States were also of opinion to levy a duty on Perfumed Spirits at the rate approved by the States. That the proposed rates of Impôt Duties are set forth in the Schedule hereunto annexed. That at the said Meeting of the States Your Petitioner was authorised to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to Sanction the same. And most humbly praying Your Majesty to grant power to the States of Alderney to levy the said duties as set forth in the Schedule hereunto annexed the proceeds of the said duties to be used for the purposes and under the conditions already sanctioned by Your Majesty. ’

‘ Schedule of Duties referred to in the foregoing
Petition.

	Per gallon.
Impot on Spirits at 90°	40s.
Cordials at 45°	29s. 6d.
Wines :—	
Clarets and Burgundies—in cask ..	6s.
,, in bottles..	7s.
Other Wines—still—in cask	9s.
,, in bottles	10s.
Sparkling Wines	19s. 6d.
Empire Wines and Spirits—half the above rates	
Beer—imported	1s. 10½d.
Beer brewed in Guernsey	1s. 8d.
Cider	9d.
Perfumed Spirits	63s. 6d. ’

“ THE LORDS OF THE COMMITTEE, in obedience to
Your Majesty’s said Order of Reference, have

1947

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 to levy the duties specified in the said Petition.

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.

E. C. E. LEADBITTER.

(Registered on the Records on the 15th December, 1947.)

Messire Frank Henry Cufaude Wiltshire, Chevalier, ayant ce jour présenté à la Cour une commission de Sa Majesté qui le nomme et constitue Juge de l'Ile d'Auregny, après lecture et publication d'icelle commission, il a été ordonné qu'elle sera enregistrée sur les Records de cette Ile, de laquelle commission la teneur suit :—

Judge of
Alderney
Sworn.

1947



GEORGE R.

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, To Our Trusty and Well-beloved the Lieutenant-Governor, To Our Trusty and Well-beloved the Bailiff or his Lieutenant, and to the Jurats and Other Officers of Our Royal Court of Our Island of Guernsey, and to all others whom it may concern,

GREETING !

WHEREAS the Office or Place of Judge of Our Island of Alderney is now vacant by the resignation of Frederick George French, Esquire, Commander of Our Most Excellent Order of the British Empire :

KNOW YE that We for divers good causes and considerations Us hereunto moving of Our Especial Grace, certain Knowledge and mere motion have given and granted and by these Presents do give and grant unto Our Trusty and Well-beloved Sir Frank Henry Cufaude Wiltshire, Knight, upon whom has been conferred the Decoration of the Military Cross, the Office or Place of Judge of Our said Island of Alderney :

AND him the said Sir Frank Henry Cufaude Wiltshire, Judge of Our said Island of Alderney, We do make, ordain and constitute by these Presents : To have hold exercise and enjoy the said Office or Place by himself or his sufficient Deputy or Deputies together with all Honours Authorities Powers Perogatives Pre-eminences Privileges and Advantages thereunto belonging ; subject nevertheless to any alteration that may hereafter upon enquiry be made in the duties of the said Office :

1947

AND WE DO by these Presents require and charge the Lieutenant-Governor of Our said Island of Guernsey for the time being and also the Jurats and all other Officers and the Inhabitants of the same and all others whom it may concern that they and every one of them do not only permit and suffer the said Sir Frank Henry Cufaude Wiltshire, or his Deputy or Deputies for the time being quietly to possess execute and enjoy the said Office or Place of Judge, but to be of aid and assistance to him or them in the execution thereof according to Our express Wish and Pleasure.

Given at Our Court at Saint James's
the Seventeenth day of November, 1947
In the Eleventh Year of Our Reign
By His Majesty's Command.

J. CHUTER EDE.

Ensuite de quoi le dite Messire Frank Henry Cufaude Wiltshire, Chevalier, a été sermenté à la dite charge de Juge de l'Ile d'Auregny. Et est ordonné qu'il sera fait et expédié à la Cour de la dite Ile d'Auregny par le Greffier du Roi un Extrait des Records contenant ce présent acte.

(Registered on the Records on the 15th December, 1947.)

The Lieutenant Bailiff having this day placed before the Court two Orders of His Majesty's Treasury entitled respectively :—

Exchange
Control
Orders.

- (1) Exchange Control (Transitional Provisions) (Channel Islands) (No. 2) Order, 1947—(S.R. & O. No. 2283).
- (2) Exchange Control (Authorised Dealers) (No. 2) Order, 1947—(S.R. & O. No. 2511).

1947

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act together with a copy of each of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 22nd December, 1947.)

Exchange
Control
(Payments)
(Portuguese
Monetary
Area) Order,
1947.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled :—

“ Exchange Control (Payments) (Portuguese Monetary Area) Order, 1947 ” (S.R. & O. No. 2621).

The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 27th December, 1947.)

Exchange
Control
(Definition
of Scheduled
Territories)
(No. 2)
Order,
1947.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled :—

“ Exchange Control (Definition of Scheduled Territories) (No. 2) Order, 1947 ”

The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 27th December, 1947.)

1947

AT THE COURT AT BUCKINGHAM PALACE,

The 19th day of December, 1947.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS section eighteen of the Emergency Laws (Transitional Provisions) Act, 1946(a), enabled His Majesty by Order in Council to empower such authority as might be specified in the Order to provide for the continuation in force until the thirty-first day of December, nineteen hundred and forty-seven, of certain Defence Regulations having effect in the Bailiwick of Guernsey, being a territory specified in section four of the Emergency Powers (Defence) Act, 1939(b), and for certain matters ancillary thereto :

Emergency
Laws
(Miscellaneous Pro-
visions)
(Guernsey)
Order in
Council,
1947.

AND WHEREAS by the Emergency Laws (Transitional Provisions) (Guernsey) Order in Council, 1946(c), the Royal Court was empowered to provide for the continuation in force until the said thirty-first day of December, nineteen hundred and forty-seven, of certain Defence Regulations having effect in the Bailiwick of Guernsey and for certain matters ancillary thereto :

AND WHEREAS by section eight of the Emergency Laws (Miscellaneous Provisions) Act, 1947(d), it is provided that the said section eighteen shall have effect as if for the reference to the said thirty-first day of December, nineteen hundred and forty-seven, there were substituted a reference to the tenth day of December, nineteen hundred and fifty, and that the said section eighteen shall be construed as applying to any Defence Regulations remaining in force by

(a) 9 & 10 Geo. 6. c. 26. (b) 2 & 3 Geo. 6. c. 62.

(c) S.R. & O. 1946 (No. 253) II, p. 45.

(d) 11 & 12 Geo. 6. c. 10.

1947

virtue of that section immediately before the passing of the Emergency Laws (Miscellaneous Provisions) Act, 1947 :

AND WHEREAS it is expedient that further provision be made for the continuation in force for a further period of certain Defence Regulations remaining in force by virtue of the said section eighteen and the said Order in Council immediately before the passing of the Emergency Laws (Miscellaneous Provisions) Act, 1947 :

NOW, THEREFORE, His Majesty, in pursuance of the said section eighteen and the said section eight and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

Citation,
definitions
and interpre-
tation.

1.—(1) This Order may be cited as the Emergency Laws (Miscellaneous Provisions) (Guernsey) Order in Council, 1947.

(2) In this Order the expression “ Bailiwick of Guernsey ” includes the territorial waters adjacent to every part of that Bailiwick, and the expression “ Royal Court ” means the Royal Court of Guernsey.

(3) The Interpretation Act, 1889 (*a*), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and for the purposes of section thirty-eight of that Act (which relates to the effect of repeals) this Order shall be deemed an Act of Parliament.

Powers of
Royal Court
as regards
Defence
Regulations.

2.—The Royal Court shall be empowered to provide—

(*a*) for the continuation in force until the tenth day of December, nineteen hundred and fifty, of any Defence Regulations having effect in

1947

the Bailiwick of Guernsey, being Defence Regulations remaining in force by virtue of the Emergency Laws (Transitional Provisions) Act, 1946(a), and the Emergency Laws (Transitional Provisions) (Guernsey) Order in Council, 1946(b), immediately before the passing of the Emergency Laws (Miscellaneous Provisions) Act, 1947(c) ;

- (b) that any Defence Regulation so continued in force shall have effect, subject to such exceptions, limitations and modifications as the Royal Court thinks necessary or expedient ;
- (c) for the revocation in whole or in part of any Regulation so continued and for the making of any saving provisions which the Royal Court thinks necessary or expedient to take effect on the revocation or expiry of any such Regulation ;
- (d) for the application, in relation to Regulations so continued in force, of sections nineteen and twenty of the Emergency Laws (Transitional Provisions) Act, 1946, subject to such exceptions, adaptations and modifications as the Royal Court thinks necessary or expedient.

3.—No Ordinance made by the Royal Court under this Order shall lapse by effluxion of time unless the Ordinance expressly so provides. Currency of Ordinances.

E. C. E. LEADBITTER.

(a) 9 & 10 Geo. 6. c. 26.

(b) S.R. & O. 1946 (No. 253) II, p. 45.

(c) 11 & 12 Geo. 6. c. 10.

1948

(Registered on the Records on the 31st January 1948.)

Exchange
Control
(Payments)
(Union of
Soviet
Socialist
Republics)
Order, 1948.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled

“The Exchange Control (Payments) (Union of Soviet Socialist Republics) Order, 1948”.

The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 14th February, 1948.)

Exchange
Control
(Payments)
Orders.

The Bailiff having this day placed before the Court two Orders of His Majesty's Treasury entitled respectively :—

“Exchange Control (Payments) (French Franc Area) Order, 1948.”

“Exchange Control (Payments) (Italy, Republic of San Marino, Vatican City and Trieste) Order, 1948.”

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 14th February, 1948.)

Expiring
Laws Con-
tinuance Act,
1947.

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated January 26th, 1948, directing the registration of an Act of Parliament entitled “The Expiring Laws Continu-

ance Act, 1947"—The Court, after the reading of the said Order in Council and having heard His Majesty's Procureur, ordered :—

1948

1. That the said Order in Council be registered on the Records of this Island.
2. That a copy of the said Act of Parliament be registered on the said Records by being filed at the Greffe.
3. That an extract of this Act of Court together with a copy of the said Order in Council and of the said Act of Parliament be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 14th February, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 26th day of January, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

VISCOUNT HALL.

MR. SECRETARY CREECH JONES.

MR. SECRETARY WOODBURN.

MR. MCNEIL.

SIR MALCOLM MAGNAGHTEN.

MR. BUCHANAN.

MR. KIRKWOOD.

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, 1947, in the words following, viz :—

Loi relative
au Rachat
de Rentes
(1947).

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, 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 October, 1947, the States of Deliberation considered a Bill or

1948

“ *Projet de Loi* ” entitled “ *Loi relative au Rachat de Rentes (1947)*,” when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 entitled “ *Loi relative au Rachat de Rentes (1947)*,” and to order and direct that the same shall have 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 be-

ing, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

1948

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council

PROJET DE LOI

INTITULÉ

“ LOI RELATIVE AU RACHAT DE RENTES
(1947) ”.

LES ETATS, vu leur délibération en date du 2 juillet 1947, ont approuvé les dispositions suivantes, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de loi en cette Ile.

1. Est et demeure rappelé l'Article I de la Loi relative au Rachat de Rentes, enregistrée sur les Records de cette Ile le 23 mars 1929, (ci-après désigné “ la Loi principale ”), et y sera substitué l'Article suivant, lequel sera censé former partie de la Loi principale.

“ ARTICLE I.

- (a) Toute rente payable soit en froment, soit en argent ou autre forme de redevance qui aura été créée avant le 31 mars 1948 sera lorsqu'un prix inférieur de rachat n'a pas été fixé par contrat, imprescriptiblement rachetable à un prix qui équivaldra 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.
- (b) Toute rente payable soit en froment, soit en argent ou autre forme de redevance créée après le 31 mars 1948 sera rachetable suivant aux termes et conditions accordés entre les
- Prix de rachat de rentes.

1948

parties et fixés par contrat lors de la création de telle rente, et faute d'un tel accord, telle rente sera imprescriptiblement rachetable à un prix qui équivaldra 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."

2. Dans l'Article IV de la Loi principale les mots "imposé par l'alea (a) de l'Article premier" seront substitués aux mots "imposé par l'Article premier".

[TRANSLATION]

PROJET DE LOI

ENTITLED

"LAW RELATING TO THE REDEMPTION
OF 'RENTES' (1947)".

THE STATES, in view of their resolution of the 2nd day of July, 1947, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

1. Article I of the "Loi relative au Rachat de Rentes" registered on the Records of this Island on the 23rd day of March, 1929 (hereinafter called "the principal Law") is hereby repealed and there shall be substituted therefor the following Article, which shall be deemed to form part of the principal Law.

"ARTICLE I.

Redemption
price of
rentes.

(a) Every 'rente' whether payable in wheat or money or otherwise howsoever which was created before the 31st day of March, 1948, shall, unless a lower redemption price was fixed therefor in the contract, be redeemable at a price equivalent to twenty-four times the actual total amount annually due in respect

thereof, plus the amount payable in respect of the current year at the time of the redemption.

1948

- (b) Every 'rente' whether payable in wheat or money or otherwise howsoever created after the 31st day of March, 1948 shall be redeemable on the terms and conditions agreed between the parties and fixed by the contract at the time of the creation of such 'rente', and, failing such an agreement, such 'rente' shall be redeemable at a price equivalent to twenty-four times the actual total amount annually due in respect thereof, plus the amount payable in respect of the current year at the time of redemption."

2. In Article IV of the principal Law the words "imposed by paragraph (a) of Article I" shall be substituted for the words "imposed by Article I".

(Registered on the Records on the 21st February, 1948.)

The Bailiff having this day placed before the Court four Orders of His Majesty's Treasury entitled respectively :—

Exchange
Control
Orders.

1. Exchange Control (Authorised Dealers) Order, 1948 (No. 218).
2. Exchange Control (Authorised Depositories) Order, 1948 (No. 219).
3. Exchange Control (Payments) (Japan) Order, 1948 (No. 220).
4. Exchange Control (Payments) (China and Formosa) Order, 1948 (No. 221).

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

1948

(Registered on the Records on the 28th February, 1948.)

**JERSEY AND GUERNSEY (FINANCIAL
PROVISIONS) ACT, 1947.**

Jersey and
Guernsey
(Financial
Provisions)
Act, 1947.

An Act to authorise the payment out of the Consolidated Fund to the States of Jersey and Guernsey of amounts equal to sums received in respect of Crown revenues accruing in those islands. [10th December, 1947]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :—

Payments
out of
Consolidated
Fund to
Jersey and
Guernsey.

1. There shall be issued out of the Consolidated Fund or the growing produce thereof at such times as the Treasury may direct and shall be paid to the States of Jersey or the States of Guernsey sums equal to any sums paid into the Exchequer on or after the first day of April, nineteen hundred and forty-seven, on account of hereditary revenues of the Crown which have accrued in the island of Jersey or the island of Guernsey, as the case may be.

The reference in this section to the island of Guernsey includes a reference to the island of Jethou.

Short title.

2. This Act may be cited as the Jersey and Guernsey (Financial Provisions) Act, 1947.

(Registered on the Records on the 6th March, 1948.)

Exchange
Control
Orders.

The Bailiff having this day placed before the Court three Orders of His Majesty's Treasury entitled respectively :—

1. Exchange Control (Definition of Scheduled Territories) Order, 1948 (No. 284).
2. Exchange Control (Payments) (Palestine) Order, 1948 (No. 285).
3. Exchange Control (Payments) (Transjordan) Order, 1948 (No. 286).

1948

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 13th March, 1948.)

Summer Time Order, 1948.

MADE 11th MARCH, 1948.

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of March, 1948.

PRESENT,
LORD PRESIDENT.
LORD CHAMBERLAIN.
MR. HALL.
MR. WILSON.

HIS MAJESTY, in pursuance of subsection (2) of section one of the Summer Time Act, 1947, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

Summer
Time Order,
1948.

1. This Order may be cited as the Summer Time Order, 1948.

2. Subject to the provisions of subsection (3) of the said section one of the Summer Time Act, 1947 (which provides that nothing in any Order in Council under that section shall affect the definition of the hours of darkness for the purposes of section one of the Road Transport Lighting Act, 1927) the period of summer time for the purposes of the Summer Time Acts, 1922 and 1925 shall, in relation to the year nineteen hundred and forty-eight, be the period beginning at two o'clock, Greenwich mean time, in the morning of the fourteenth day of March and ending at two o'clock, Greenwich mean time, in the morning of the thirty-first day of October.

E. C. E. LEADBITTER.

1948

Exchange
Control
(Payments)
(Uruguay)
Order, 1948.

(Registered on the Records on the 13th March, 1948.)

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled "Exchange Control (Payments) (Uruguay) Order, 1948" (No. 399)—The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 13th March, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 24th day of February, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD CHANCELLOR.

LORD PRESIDENT.

MR. TOM WILLIAMS.

MR. WHITELEY.

The Family
Allowances
Law, 1947.

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 January, 1948, in the words following, viz :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

' 1.—That in pursuance of their resolution of the 23rd day of July, 1947, the States of Deliberation on the 26th day of November, 1947, considered a Bill or "Projet de Loi" entitled "The Family Allowances Law, 1947," when a resolution was passed approving the same with slight amendments and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal

1948

Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of the Island of Guernsey entitled “*The Family Allowances Law, 1947,*” and to order and direct that the same shall have force of law in 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.

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.

E. C. E. LEADBITTER.

1948

“Projet de Loi” referred to in the foregoing Order in Council.

PROJET DE LOI

ENTITLED

*“THE FAMILY ALLOWANCES LAW, 1947”.

THE STATES, in pursuance of their Resolution of the 23rd day of July, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island :—

Repeal.

1. The Children’s Allowances Law, 1943 and 1944 or any part thereof shall be repealed on such date or dates as the States may by resolution declare.

Payment
and
Amount of
Allowances.

2. (i) The States Insurance Authority shall pay, out of monies provided by the States of Guernsey, for families, for the benefit of the family as a whole, an allowance of an amount to be determined from time to time by resolution of the States in respect of such child or children in such families as may be determined from time to time by resolution of the States. Any resolution of the States, varying a previous resolution of the States as to the amount of such allowances or as to the children in respect of which and the families for which such allowances shall be paid, shall not be effective until the lapse of three months subsequent to the date of that resolution.

(ii) The allowances shall be payable only in Guernsey.

Meaning
of
“Child”.

3. For the purposes of this Law—

- (i) A “child” shall mean a person who
- (a) has not attained the upper age limit below which education is compulsory by law,
or
- (b) having attained that age limit is, during any period before the first day of August next

* Repealed by the Family Allowances (Guernsey) Law, 1950.

following the day on which he or she attains the age of sixteen years, undergoing full-time instruction in a school or is an apprentice.

1948

(ii) A person having once attained the upper age limit below which education is compulsory by law shall be deemed for the purposes of this Law to have done so finally, notwithstanding any subsequent change in such age limit.

(iii) A person becoming an apprentice after an interval of not more than one month after attaining the upper age limit below which education is compulsory by law, or after ceasing to undergo full-time instruction in a school, shall be deemed to have been an apprentice throughout the interval.

4. For the purposes of this Law—

Meaning
of
“Family”.

(i) Each of the following shall be treated as constituting a family, that is to say—

(a) A man and his wife living together, any child or children being issue of theirs, his or hers, and any child or children being maintained by them ;

(b) A man not having a wife or not living together with his wife, any child or children being issue of his, and any child or children being maintained by him ; and

(c) A woman not having a husband or not living together with her husband, any child or children being issue of hers, and any child or children being maintained by her.

(ii) The expression “ issue ” means issue of the first generation.

(iii) In order that a child shall be included in a family as being issue of the man or his wife or one of them, of the man or the woman (according as the family falls within sub-paragraph (a) (b) or (c) above) it is necessary that the child be living with them, with him or with her, as the case may be, or, if not, that the

1948

cost of providing for the child be contributed to by them taken together, by him or by her, as the case may be, at the rate of 5/od. a week or more.

(iv) The provisions of the Schedule to this Law shall have effect as to the circumstances in which a man and his wife living together, or such a man or woman as is mentioned in sub-paragraph (b) or (c) of paragraph (i) of this Article, are to be treated as maintaining a child and for determining as between parents and persons maintaining children, or as between one parent of a child and the other, in what family a child is to be treated as included.

Persons to whom allowances are to be paid.

5. (i) The allowance for any family shall, subject to paragraph (ii) hereof, belong, in the case of a family of a man and his wife living together, to the wife. In all other cases it shall belong to the claimant. Allowances paid in respect of the family of a man and wife living together shall be receivable either by the man or the wife.

(ii) If the Administrator be satisfied in the case of a man and his wife living together that the recipient of the allowances is not a proper person to receive them, he may order that the allowances shall be paid to and belong to the other.

Determination of Question as to right to Allowances.

6. (i) All claims for allowances shall be made to the Administrator and questions as to the right to allowances shall be decided by him and allowances awarded by him accordingly. A person dissatisfied by a decision of the Administrator (whether as made or as revised under the next succeeding paragraph) may within twenty-eight days of the date of such decision appeal to the States Insurance Authority, whose decision shall be final.

(ii) The Administrator shall be entitled on receipt of further information as to any claim to revise any decision made by him, except in cases in respect of which an appeal shall have been made to the States

1948

Insurance Authority, in which cases he may do so only if the appellant consents.

(iii) In any case in which a decision has been made by the States Insurance Authority, if it appear to the Administrator that the decision should be re-considered in view either of further information which has been brought to his notice or of any apparent inconsistency between that decision and any other decision made either by the Royal Court or the States Insurance Authority, he may refer the decision to the States Insurance Authority, who may revise it.

(iv) In regard to any decision made by the States Insurance Authority, either the Administrator or the claimant of an allowance shall if a point of law or of mixed law and fact be involved have the right to appeal on such point to the Royal Court sitting as an Ordinary Court.

7. (i) Allowances shall begin to accrue on the date of entitlement if claimed within three months from that date. If not claimed within three months from the date of entitlement then the allowances shall begin to accrue at the beginning of the period of three months immediately preceding the date on which the claim is made. In cases, however, of awards made as the result of revised decisions the date of the claim shall be deemed to be the date on which the Administrator first received information which led to such revision.

Period for which allowances are to accrue.

(ii) The allowance in respect of any child shall cease when any of the requirements of this Law or of the relevant regulations for the existence of a right to that allowance ceases to be satisfied in respect of that child or of the family in which that child is included.

(iii) An allowance awarded in respect of any person as being a child included in the family of a man and his wife shall be awarded not only for their family but also, with effect after the death of either of them

1948

whilst they are living together, for any family for the time being of the survivor, or of the survivor and a spouse of his or hers.

(iv) When it appears to the Administrator that an allowance awarded is about to cease or has ceased under this Article he shall take all necessary steps for stopping payments on account thereof on its ceasing or as soon as may be practicable thereafter, and the stopping of payments on account of an allowance under this paragraph shall be treated for all the purposes of the last preceding Article as a decision of the Administrator that the allowance has ceased.

Time for
obtaining
Payment.

8. Where payment of any allowance has not been received within three months from the date on which such payment became capable of being received all right to such payment shall lapse.

Adjustment
of Over-
Payments.

9. (i) If it be found that a sum has been paid on account of an allowance being a sum which was not properly payable, the Administrator may require it to be repaid,—

- (a) if it was paid to a person as in his or her own right, by that person, or
- (b) if it was paid to a person on behalf of another either by that person or by that other person :

PROVIDED that the Administrator shall not require repayment by a person who is shown to his satisfaction to have acted in good faith in all respects as to the obtaining of the sum in question.

(ii) In the case of a sum paid on account of an allowance for the family of a man and his wife living together which the wife could under the preceding paragraph be required to repay, the husband may be required to repay it.

(iii) If it be found that a sum properly payable on account of an allowance has been paid to a person not being a person by whom it was properly receivable,

the Administrator may require it to be repaid by the person to whom it was paid :

1948

PROVIDED that the Administrator shall not require repayment by a person who is shown to his satisfaction to have acted in good faith in all respects as to the obtaining of the sum in question.

(iv) In the case of the death of a person who could be required to repay a sum under this Article, the Administrator may require it to be repaid by his or her personal representative.

(v) Any sum which a person is required under this Article to repay may be recovered summarily by the Administrator as a civil debt or may, without prejudice to any other remedy, be recovered by means of deduction from any other sum receivable on account of any allowance by the person to whom the sum was paid, unless it was paid to that person on behalf of another, and in that case it may, without prejudice to any other remedy, be recovered by means of deduction from any other sum receivable on account of any allowance by that other person.

(vi) If, after an allowance in respect of a child has been awarded for one family, facts are brought to the Administrator's notice from which it appears that the child was in fact not included in that family, but was included in another family, during a period for which sums have been paid on account of the allowance awarded, and a subsequent award is made of an allowance in respect of the child for that other family so as to accrue during that period or any part thereof, sums on account of the allowance awarded for that other family shall be payable only—

(a) for the period after such date as may be certified by the Administrator as being the earliest reasonably practicable for taking the necessary action in view of the said facts for

1948

stopping payments on account of the allowance for the first-mentioned family ; and

- (b) for any period before that date in respect of which payment of sums on account of the allowance for the first-mentioned family has not been made, or in respect of which payment has been so made but of sums which have been repaid or recovered under this Article.

Penalties.

10. If any person—

- (a) with intent to obtain any sum on account of an allowance either in that person's own right or on behalf of another, furnish any information which he or she knows to be false in a material particular, or recklessly furnish any information which is false in a material particular, or withhold any material information; or
- (b) obtain or receive any sum on account of an allowance either in that person's own right or on behalf of another, knowing that it was not properly payable or not properly receivable by him or her ;

that person shall be liable on summary conviction to imprisonment for a term not exceeding three months with or without hard labour or to a fine not exceeding fifty pounds or to both such imprisonment and such fine.

Allowances to be inalienable.

11. If the recipient of any allowance under this Law do, or attempt to do, or suffer any act or thing or if any event happens whereby if the said allowance were payable to him or her absolutely he or she would be deprived of the right to receive the same or any part thereof, such allowance shall forthwith cease to be payable to such recipient, and shall thenceforth be paid to such person as the Administrator shall direct.

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <p>12. A child shall not be treated as included in any family as respects any period during which he or she is</p> | <p style="text-align: center;">1948</p> <hr style="width: 100%;"/> <p>Exclusion of Children removed from control of Parents.</p> |
| <p>(a) detained by virtue of the provisions of the " Loi ayant rapport à l'Asile des Enfants ", registered on the Records of this Island on the 24th day of November, 1928, in any institution and is not boarded out in a private house under the provisions of Article V of the said Law ;</p> <p>(b) detained by virtue of the provision of the " Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes ", registered on the Records of this Island on the 10th day of February, 1917, in any approved reformatory or industrial school and is not absent from the school on licence ; or</p> <p>(c) detained by virtue of an order made under the provisions of Articles 26, 33, 34 or 35 of the said " Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes ".</p> | |
| <p>13. (i) The Royal Court may from time to time by Ordinance make Regulations generally carrying this Law into effect and, in particular, subject to the provisions of the Law—</p> | <p>Power to make Regulations.</p> |
| <p>(a) For prescribing the manner in which payment of allowances shall be made ;</p> <p>(b) for prescribing the manner in which the Administrator shall be supplied by claimants with certificates of births, marriages, deaths and of copies of final decrees of dissolution of marriages, or shall be furnished with such information by His Majesty's Greffier as may be necessary or shall be permitted to search the registers of births, marriages, deaths and the records of final decrees of dissolution of marriages maintained by His Majesty's Greffier ;</p> | |

1948

- (c) for prescribing the manner and time in which claims to allowances shall be made ;
- (d) for prescribing the circumstances in which a person is to be treated as undergoing full-time instruction in a school or full-time training ;
- (e) for prescribing the cases in which payment may be made of any sum on account of an allowance during any period between the making of any claim or the referring of any question and the final determination of the claim or question ;
- (f) for enabling a person to be appointed to exercise, on behalf of a claimant, or of another person to or by whom an allowance belongs or is receivable, who may be or become unable for the time being to act, any right or power which that claimant or other person may be entitled to exercise under this Law and any amendment or modification thereof from time to time in force, and for authorising a person so appointed to receive any sum on account of an allowance on behalf of that claimant or other person ;
- (g) for imposing upon persons to whom allowances belong or to whom or on whose behalf sums on account of allowances are receivable, the duty to furnish to the Administrator information of facts affecting the right thereto ;
- (h) for prescribing the circumstances in which absence (other than absence at school) or presence shall be treated as temporary ;
- (i) for making provision, in connection with the death of persons having made claims for allowances or to whom allowances belonged or by whom or on whose behalf sums on account of allowances were receivable, for enabling such claims to be proceeded with,

1948

for extending the period limited by Article 8 of this Law for obtaining payment of such sums, for authorising payment or distribution of such sums to or amongst persons claiming as personal representatives, legatees, next of kin or creditors of such persons (or, in cases of illegitimacy of deceased persons, to or amongst others), and for dispensing with strict proof of the title of persons so claiming ;

(j) for regulating the procedure to be followed in the case of any appeal under Article 6 of this Law, whether from the decision of the Administrator to the States Insurance Authority or from the decision of that Authority to the Royal Court ;

(k) for prescribing any modifications or adaptations of the provisions of this Law to be made under and by virtue of the provisions of Article 18 thereof in pursuance of an arrangement made under and by virtue of paragraph (i) of that Article.

(ii) If any person contravene or fail to comply with any requirements of the Regulations made under this Law he shall be liable on conviction to a fine not exceeding Ten Pounds.

14. Any expenses incurred in the administration of this Law shall be paid out of monies provided by the States of Guernsey. Adminis-
trative
Expenses.

15. For the purposes of this Law—

(i) A man and his wife shall be deemed to be living together unless they are permanently living in separation either by agreement or under an order of a court, or unless one of them has deserted the other and separation which is incident to the desertion is continuing. Interpre-
tation.

(ii) A child being legitimate issue of a deceased spouse of any person by an earlier marriage of the deceased spouse to another shall be treated as issue

1948

of that person, and a child being illegitimate issue of a deceased spouse of any person shall be treated as issue of that person so far as regards any period during which the child is living with that person :

PROVIDED that the provisions of this paragraph shall not have effect in a case in which the marriage between the person in question and his or her deceased spouse ceased otherwise than by the deceased spouse's death.

(iii) Children born illegitimate who become legitimated following the subsequent marriage of the parents shall be deemed to be issue of the marriage.

(iv) An illegitimate child shall not be treated as being issue of the child's father.

(v) Subject to the provisions of Article 12 a child shall not be deemed to have ceased to live with a person by reason of any temporary absence, and in particular by reason of absence at any school and a person who has been contributing at any rate to the cost of providing for a child, or has been maintaining a child, shall not be treated as having ceased so to contribute or to maintain the child by reason of any temporary interruption or reduction of contribution to the cost of providing for the child.

(vi) References in this Law to parents, parent, father, mother or to an illegitimate child shall be construed in accordance with the provisions of this Article.

Meaning of
"providing
for" a
child.

16. (i) In this Law the expression "providing for" a child means making available for the child food, clothing, lodging, education and all other things reasonably required for the child's benefit having regard to all the circumstances.

(ii) For the purposes of this Law—

(a) The making available in kind of anything used for providing for a child shall be treated as a contribution to the cost of

providing for such child of an amount equal to the value thereof ;

1948

- (b) money paid or a thing made available in kind shall be treated as contributed by any person so far, and so far only, as it is paid or made available at that person's own expense or out of property belonging to that person beneficially.

17. (i) It shall be a condition of the right to any allowance for the family of a man and his wife living together that either—

Limitation
of extent of
application
of Law.

- (a) the man is a British subject whose place of birth is in Guernsey, or, if not,
- (b) such requirements as to nationality, residence, place of birth or other matters as may be prescribed are satisfied as respects the man, or his wife, or either or both of them, according as may be provided by regulations ;

and the like condition shall apply in the case of the family of such a man as is mentioned in sub-paragraph (b) of paragraph (i) of Article 4 of this Law subject to the limitation that requirements may be prescribed as respects the man only, and in the case of the family of such a woman as is mentioned in sub-paragraph (c) of that sub-paragraph with the substitution for the reference to the man in sub-paragraph (a) of this paragraph of a reference to the woman and subject to the limitation that requirements may be prescribed as respects the woman only.

(ii) To obtain an allowance—

- (a) it shall be necessary in the case of a man and his wife living together that each or one of them is in Guernsey ;
- (b) the like condition shall apply in the case of the family of such a man as is mentioned in sub-paragraph (b) of paragraph (i) of Article 4 of this Law as respects the man,

1948

and in the case of the family of such a woman as is mentioned in sub-paragraph (c) of that paragraph as respects the woman ;

(c) it shall be a further condition that in order for a child to be treated as a member of any family that the child is in Guernsey.

(iii) Temporary presence in or temporary absence from Guernsey shall be disregarded.

Provisions
as to
reciprocal
arrange-
ments with
other parts
of His
Majesty's
Dominions.

18. (i) Where any scheme of family allowances appearing to the States Insurance Authority to be one substantially corresponding to the scheme established by this Law is in force by virtue of legislative enactment in Great Britain or in any other country being a part of His Majesty's dominions that Authority may, with the consent of the States, make reciprocal arrangements with the authority administering the scheme of that other country as respects the conditions mentioned in the last preceding Article on the one hand and any conditions limiting the extent of the scheme of that other country on the other hand.

(ii) Any such arrangements may include provision for the modification or adaptation of the respective schemes in relation to or in connection with persons affected by the arrangements, and regulations made under this Law may provide for such modification or adaptation of the provisions of this Law as may appear requisite for giving effect to the arrangements or in consequence thereof and for any necessary financial adjustments.

(iii) For the purposes of this Article, the expression "His Majesty's dominions" includes British Protectorates and Protected States and any territory in respect of which a mandate has been accepted by His Majesty and is being exercised by the Government of any part of His Majesty's dominions.

Commence-
ment.

19. This Law or any part thereof shall come into force on such date or dates as the States may by resolution declare.

20. In this Law the following expressions shall have the meanings hereby respectively assigned to them:—

1948
Definitions.

The expression “the Administrator” shall mean such person as is from time to time appointed by the States Appointments Board to administer the payment of allowances under this Law, or, in his absence from duty, the person for the time being responsible for fulfilling his duties.

The expression “apprentice” shall mean a person undergoing full-time training for any trade, business, profession or employment and not in receipt of earnings which provide him, wholly or substantially, with a livelihood.

The expression “Guernsey” shall include the islands of Herm and Jethou.

The expression “date of entitlement” shall mean, in relation to an allowance awarded in respect of any person as being a child included in any family, the date on which all the requirements of this Law and of any relevant regulation for the existence of a right to an allowance in respect of that person for that family became satisfied, or if when the award was made those requirements had become satisfied more than once, the date on which they last became satisfied.

PROVIDED that the date of entitlement shall in no case be a date earlier than the date of the coming into force of paragraph (i) of Article 2 of this Law.

The expression “month” shall mean a period of thirty days.

SCHEDULE.

1. (i) A person shall be treated for the purposes of this Law as maintaining a child—

(a) if that person be the only person who contributes to the cost of providing for the child, or

Circumstances in which a person is to be treated as maintaining a child.

1948

if that person contribute to the said cost an amount greater than any other one person contributes thereto ;

- (b) if two or more persons of whom that person is one each of them contribute to the said cost an equal amount that is greater than any other one person contributes thereto, and it be agreed between the said two or more persons, or in default of agreement the Administrator in his discretion decide, that, as between them, that person is to be preferred, and not otherwise :

PROVIDED that a person who under the preceding provisions would be treated as maintaining a child shall not be so treated if his or her contribution to the cost of providing for the child is at a rate less than five shillings a week, unless the child be living with that person.

(ii) For the purposes of this Article, a man and his wife living together shall be treated as one person and amounts contributed by them respectively shall be aggregated accordingly, and references to a person shall be construed as references to such persons as are mentioned in sub-paragraphs (a) and (b) and (c) respectively of paragraph (i) of Article 4 of this Law, that is to say, a man and his wife living together, such a man as is mentioned in the said sub-paragraph (b) and such a woman as is mentioned in the said sub-paragraph (c).

Determination of the family in which a child who is capable of being treated as included in more than one family is in fact to be included.

2. (i) Where a child could otherwise be treated under Article 4 of this Law as included at the same time both in one family as being issue of his or her parents or either of them, and in another family as being maintained by a person other than his or her parents or either of them, the child shall be treated as then included in that family only in which he or she can be treated as included as being issue of the parents or parent.

1948

(ii) Where a child could otherwise be treated under Article 4 of this Law as included at the same time in one family on the ground of the child's being issue of his or her father, and in another family on the ground of the child's being issue of his or her mother, the child shall be treated as then included in one of those families to the exclusion of the other as may be agreed between the father and the mother, or in default of agreement as the Administrator may in his discretion decide.

(Registered on the Records on the 20th March, 1948.)

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled "Exchange Control (Payments) (Poland) Order, 1948" (No. 449)—The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

Exchange
Control
(Payments)
(Poland)
Order, 1948.

(Registered on the Records on the 17th April, 1948.)

The Bailiff having this day placed before the Court five Orders of His Majesty in Council dated January 26th, 1948, entitled respectively:—

Treaty of
Peace Orders.

1. "The Treaty of Peace (Bulgaria) Order, 1948" (No. 114).
2. "The Treaty of Peace (Finland) Order, 1948" (No. 115).
3. "The Treaty of Peace (Hungary) Order, 1948" (No. 116).
4. "The Treaty of Peace (Italy) Order, 1948" (No. 117).

1948

5. "The Treaty of Peace (Roumania) Order, 1948"
(No. 118).

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island by being lodged at the Greffe and that an extract of this present Act together with a copy of each of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 24th April, 1948.)

Exchange
Control
(Prescribed
Courts)
(Scotland,
Northern
Ireland and
the Isle of
Man) Order,
1948.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled "Exchange Control (Prescribed Courts) (Scotland, Northern Ireland and the Isle of Man) Order, 1948",—The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island by being lodged at the Greffe and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 1st May, 1948.)

Exchange
Control
(Payments)
(Syria)
Order, 1948.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled "Exchange Control (Payments) (Syria) Order, 1948" (No. 777)—The Court, after having heard His Majesty's Procureur, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 8th May, 1948.)

1948

AT THE COURT AT BUCKINGHAM PALACE,

The 27th day of April, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD CITRINE.

MR. ALEXANDER.

MR. GAITSKELL.

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 23rd day of March, 1948, in the words following, viz. :—

Impôts
(Alderney).
1948.

“YOUR MAJESTY having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frank Henry Cufaude Wiltshire, Knight Bachelor, M.C., 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 11th day of June, 1947, to grant to the States of the Island of Alderney power to levy Impôt Duties on certain commodities imported into and consumed in the said Island during the period ending the 31st day of December, 1947. That Your Majesty was graciously pleased by Your Majesty’s Order in Council dated the 26th day of November, 1947, to grant to the States of Alderney power to increase the duties on certain of the commodities sanctioned by this said Order in Council dated the 11th day of June, 1947. That at a Meeting of the States of Alderney holden before Your Petitioner on the 22nd day of January, 1948, the States were of opinion to renew the said duties for a further period ending the 31st day of December, 1948. That the proposed rates of Impôt Duties are set

1948

forth in the Schedule hereunto annexed. The proceeds of the said duties to be used for the purposes and under the conditions already sanctioned by Your Majesty. That at the said Meeting of the States, Your Petitioner was authorised to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to sanction the same. And most humbly praying Your Majesty to be graciously pleased to grant power to the States of Alderney to levy the said duties as set forth in the Schedule hereunto annexed for the period commencing the 1st day of January, 1948, and ending on the 31st day of December, 1948, the proceeds of the said duties to be used for the purposes and under the conditions already sanctioned by Your Majesty.

SCHEDULE OF DUTIES REFERRED
TO IN THE FOREGOING PETITION.

Impôt on Spirits at 90°	40s.	per gallon.
Cordials ...	29s. 6d.	„ „
Wines:—		
Clarets and Burgundies—		
in cask ...	6s.	„ „
in bottles ...	7s.	„ „
Other wines—still—		
in cask ...	9s.	„ „
in bottles ...	10s.	„ „
Sparkling wines in bottles ...	19s. 6d.	„ „
Empire wines ...	Half the above rates.	
Beer—imported ...	1s. 10½d.	per gallon.
Beer brewed in Guernsey ...	1s. 8d.	„ „
Cider ...	9d.	„ „

Tobacco—with				
stalk	7s.	6d.	per lb.	
without stalk ...	7s.	10d.	" "	
manufactured				
and Cavendish	10s.	2d.	" "	
Cigars	}	...	11s.	6d.
Cigarettes				
Snuff		6d.	" "	
Tea		4d.	" "	
Motor Spirit ...		4d.	per gallon.	
Paraffin		1d.	" "	
Methylated Spirit		1d.	" "	
Lubricating Oil ...		1d.	" "	
Fuel Oil in Bulk:—				
In quantities over				
20 tons		$\frac{1}{4}$ d.	" "	
In quantities up				
to 20 tons		$\frac{1}{2}$ d.	" "	
Perfumed Spirits				
at 90°	63s.	6d.	" "	'

“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 all 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 levy the duties specified in the said Petition for the period, and for and under the purposes and conditions referred to in the said Petition.

AND HIS MAJESTY doth hereby further direct that this Order be entered upon the Registers of the

1948

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.

E. C. E. LEADBITTER.

(Registered on the Records on the 15th May, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 11th day of March, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD CHAMBERLAIN.

MR. HALL.

MR. WILSON.

The Landing
Tax Law,
1948.

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 March, 1948, in the words following, viz. :—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolution of the 22nd day of October, 1947, the States of Deliberation, at a meeting held on the 19th day of December, 1947, considered a Bill or “*Projet de Loi*” entitled “*The Landing Tax Law, 1948*”, when a resolution was passed approving the same and authorizing the Bailiff to present a most

1948

humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.— 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of the Island of Guernsey entitled “The Landing Tax Law, 1948,” and to order and direct that the same shall have force of law in 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.

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.

E. C. E. LEADBITTER.

1948

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE LANDING TAX LAW, 1948”.

THE STATES, in view of their Resolution of 22nd day of October, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

Landing
tax to be
leviable.

1.—A landing tax shall be leviable by the States of Guernsey at the rate of one shilling for every person landing on this Island directly from a point of departure outside the Bailiwick of Guernsey, whether such person is travelling by sea or by air.

Payment
and use of
tax.

2.—The said landing tax shall be paid to the Treasurer of the States of Guernsey on behalf of the States Tourist Committee in such manner as the said Committee may from time to time by notice in the Gazette Officielle prescribe, and shall be payable by the owner of the vessel or aircraft from which the landing is made. Moneys so received from the said tax shall be paid into the Development Fund set up by States Resolution on the 15th day of November, 1946, and employed only for the promotion of amenities by the States Tourist Committee within the scope of that Committee's mandate from the States.

Suspension
and
reduction.

3.—The said landing tax may at any time be suspended or reduced, either generally or with respect to any particular person or class of persons, by Resolution of the States of Guernsey.

Definition of
“owner”.

4.—For the purposes of this Law, the expression “owner” includes the actual owner, a hirer from him and any person claiming under or through him.

*(Registered on the Records on the 22nd May, 1948.)*1948

AT THE COURT AT BUCKINGHAM PALACE,

The 27th day of April, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD CITRINE.

MR. ALEXANDER.

MR. GAITSKELL.

WHEREAS there was this day read at the Board The States
Committees
(Amend-
ment) Law,
1948.
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 April, 1948, in the
words following, viz.:—

“YOUR MAJESTY having been pleased by Your
General Order of Reference of the 18th day of
December, 1936, to refer unto this Committee the
humble Petition of the States of the Island of
Guernsey, setting forth:—

‘1.—That, in pursuance of their Resolution of
the 23rd day of April, 1947, the States of
Deliberation at a meeting held on the 4th day of
February, 1948, approved a Bill or “Projet de
Loi” entitled “The States Committees (Amend-
ment) Law, 1948”, and requested the Bailiff to
present a most humble Petition to Your Majesty
in Council praying for Your Royal Sanction
thereto: 2.—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 might be graciously
pleased to grant Your Royal Sanction to the Bill
or “Projet de Loi” of the States of Guernsey
entitled “The States Committees (Amendment)
Law, 1948,” and to order and direct that the same
shall have 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

1948

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI.

ENTITLED

“THE STATES COMMITTEES (AMENDMENT)
LAW, 1948.”

THE STATES, in view of their Resolution dated the 23rd day of April, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

1. (1) Article 2 of the Mental Treatment Law (Guernsey) 1939 (in this Article called "the 1939 Law") is hereby repealed.

1948
The Board
of Health.

(2) The powers and duties heretofore by the 1939 Law assigned to the States' Mental Health Services Board shall henceforth be assigned to and be performed by the States Board of Health constituted by a Resolution of the States dated the 29th day of December, 1899, (as amended by a Resolution dated the 19th day of October, 1945), and any reference in the 1939 Law to "the Board" shall be construed as a reference to the said Board of Health.

(3) No Jurat of the Royal Court shall so long as he shall be a member of the States Board of Health be eligible to perform any of the duties by the 1939 Law specifically assigned to Jurats.

2. (1) Paragraph (1) of Article IX of the Public Assistance Law, 1937 is hereby repealed and the following Paragraph substituted therefor:—

The
Children
Board.

"(1) The Children Board shall be composed of a President and eight other Members.

The President shall be elected by the States from among Members of the States and shall, subject to the provisions of this Article, hold office for a period of three years.

Four other Members of the Board shall be elected by the States from among Members of the States.

The remaining four Members of the Board, of whom at least two shall be women, shall be persons co-opted to the Board by the President and States-elected Members thereof."

(2) In Paragraph (7) of the said Article the word "seven" is hereby deleted and the word "five" substituted therefor.

3. (1) Paragraph (1) of Article 2 of the Glasshouse Control Law, 1936 is hereby repealed.

The States
Committee
for
Horticulture.

1948

(2) The powers and duties assigned to the States Glasshouse Control Committee by the said Law are hereby assigned to the States Committee for Horticulture constituted by Resolution of the States dated the 17th day of August, 1945, and any reference in the said Law to "the Committee" shall be construed as a reference to the said Committee for Horticulture.

The States
Housing
Authority.

4. (1) Article 1 of the "Loi ayant rapport à la Construction de Maisons et Bâtiments et au Tracé des Routes et Chemins" registered on the Records of this Island on the 28th day of October, 1922 is hereby repealed.

(2) The powers and duties assigned by the said Law to the "Comité" are hereby assigned to the States Housing Authority constituted by a Resolution of the States dated the 27th day of June, 1945 and any reference in the said Law to the "Comité" shall be construed as a reference to the said States Housing Authority.

States
Insurance
Authority.

5. The Contributory Pensions Law, 1935 registered on the Records of this Island on the 15th day of June, 1935 is hereby amended as follows:—

(1) In Sub-paragraph (a) of Paragraph 2 of Article II of the said law, the words "fourteen", "twelve", "five" and "six" are hereby deleted and the words "ten", "eight", "four" and "five" substituted for them respectively.

(2) In Sub-paragraph (b) of the said Paragraph 2 the words "seven at the least" are hereby deleted and the word "six" substituted therefor:—

(3) Sub-paragraph (i) of the said Paragraph 2 is hereby repealed and the following sub-paragraph substituted therefor:—

"(i) The two Ordinary Members senior in office shall retire on the 31st day of January in each year, provided always

that if at any time there shall be more than two Ordinary Members of equal seniority the order of their retirement shall, failing agreement between the retiring Members, be determined by the drawing of lots."

1948

6.—Article III of the "Loi au sujet des Beautés Naturelles et Bâtiments Malséants, 1929" is hereby repealed and the following new Article, numbered III, substituted therefor:—

Natural
Beauties
Committee.

"ARTICLE III.

Un Comité sera élu 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, dont quatre au moins seront membres des Etats. Quatre membres du dit Comité formeront un quorum. Deux membres sortiront de charge à la fin de chaque année et seront ré-éligibles. Les membres sortant d'office seront déterminés par leur séniorité d'office, et s'il y en a plus de deux de séniorité égale, par accord entre eux, ou en cas de désaccord, par le sort. La séniorité d'un membre ré-élu comptera de sa ré-élection seulement. Lorsqu'un membre sortira de charge autrement qu'à cause de l'expiration de son terme d'office les Etats éliront un nouveau membre qui siègera pour le restant du terme du membre ainsi sortant de charge."

7.—The first paragraph of Article II of the "Loi ayant rapport à la Police Salariée pour l'Ile entière" registered on the Records of this Island on the 10th day of January, 1920, down to and including the words "un Président chaque année" is hereby deleted and the following paragraph substituted therefor:—

Island
Police
Committee.

"Le corps de la Police salariée sera sous la surveillance et l'autorité d'un Comité composé comme suit:

1948

- (a) d'un Président élu par les Etats de parmi les Membres des Etats, qui sortira de charge à la fin de trois années et sera ré-éligible ;
- (b) de six Membres élus par les Etats dont quatre au moins seront Membres des Etats.

Deux Membres sortiront de charge le 31 décembre de chaque année et seront ré-éligibles. Les Membres sortant de charge seront déterminés par leur séniorité d'office et s'il y en a plus de deux de séniorité égale, par accord entre eux ou, en cas de désaccord, par le sort. Lorsqu'un Membre, autre que le Président, sortira de charge autrement qu'à cause de l'expiration de son terme d'office les Etats éliront un nouveau Membre qui siégera pour le restant du terme du Membre ainsi sortant de charge. Le Président et trois Membres ou en cas de l'absence du Président, quatre Membres, formeront un quorum."

Public
Thorough-
fares
Committee

8.—Article 2 of the "Loi pour l'Entretien des Rues de la paroisse de Saint Pierre Port et la Reconstitution du Comité des Voies Publiques de l'Ile" registered on the Records of this Island on the 13th day of December, 1919, is hereby repealed and the following Article is substituted therefor:—

“

ARTICLE 2.

Le Comité actuel des voies publiques sera reconstitué et sera composé de neuf membres élus par les Etats de parmi les Membres des Etats, desquels—

Trois seront habitants de la paroisse de Saint Pierre Port.

Deux seront habitants du district comprenant les paroisses de Saint Samson et du Valle.

Deux seront habitants du district comprenant les paroisses du Castel, de Saint Sauveur et de la Forêt.

Un sera habitant du district comprenant les paroisses de Saint Pierre-du-Bois et de Torteval.

Un sera habitant du district comprenant les paroisses de Saint Martin et de Saint André.

1948

Un des membres habitants de la paroisse de Saint Pierre Port et deux des autres membres sortiront de charge le 31 décembre de chaque année mais seront ré-éligibles. Les susdits membres sortiront de charge dans l'ordre déterminé par le Comité. Lorsqu'un membre sortira de charge autrement qu'à cause de l'expiration de son terme, les Etats éliront un nouveau membre qui siègera pour le restant du terme du membre ainsi sortant de charge. Cinq membres formeront un quorum."

9. (1) In every case in which by virtue of the provisions of this Law the number of members composing a Board, Committee or other body is to be varied, the States shall elect a new Board, Committee or body in lieu thereof in conformity with the provisions of this Law, and the former Board, Committee or body shall be deemed to resign on the date of such election.

Variation of number of members of a Committee.

(2) Notwithstanding anything in this Law contained, a Board, Committee or body whose numbers are to be varied as aforesaid shall be deemed lawfully to continue in office during the period between the date of registration of this Law and the date of the election by the States of a new Board, Committee or body as though during such period this Law were not in force, and the acts of such Board, Committee or body done during such period shall be valid and binding for all purposes and on all persons accordingly.

(Registered on the Records on the 5th June, 1948.)

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 12th day of May, 1948, directing the registration of an Act of Parliament entitled "Army and Air Force (Annual) Act, 1948"—the Court, after the reading of the said

Army and Air Force (Annual) Act, 1948.

1948

Order in Council and having heard His Majesty's Comptroller, ordered:—

1. That the said Order in Council be registered on the Records of this Island.
2. That a copy of the said Act of Parliament be registered on the said Records by being filed at the Greffe.
3. That an extract of this Act of Court together with a copy of the said Order in Council and of the said Act of Parliament be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 19th June, 1948.)

H.M.
Greffier
sworn.

JAMES EWALD LE PAGE, écuyer, a été sermenté Greffier du Roi de la Cour Royale de cette Ile de Guernesey, comme à telle charge et office appartient, après y avoir été nommé par Sa Majesté vertu de Sa Commission en date du seize juin mil neuf cent quarante-huit, de laquelle Commission la teneur suit:—

GEORGE R.

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, to Our Trusty and Well beloved the Lieutenant-Governor, Our Bailiff or his Lieutenant, and the Jurats and other Officers of the Royal Court of Our Isle of Guernsey, and to all others whom it may concern,

GREETING!

WHEREAS the Office of Clerk or Greffier of Our Royal Court of Guernsey is now vacant by the retirement of Our Trusty and Well-beloved Peter James Mager, Esquire, and We being satisfied of the Loyalty

1948

and Abilities of Our Trusty and Well-beloved James Ewald Le Page, Esquire, Deputy Greffier of Our Royal Court aforesaid, do hereby grant unto him the Office of Clerk or Greffier in Our Royal Court of Guernsey, with all Fees Rewards Profits Advantages, Rights and Emoluments whatsoever to the said Office in any way belonging or appertaining: To have and to hold the same unto him the said James Ewald Le Page, by himself or his sufficient Deputy or Deputies during Our Pleasure.

PROVIDED ALWAYS that it is Our Will and Pleasure that if during your tenure of the said Office of Clerk or Greffier in Our Royal Court of Guernsey you the said James Ewald Le Page shall attain the age of sixty-five years you shall then cease to hold the said Office.

AND WE DO HEREBY WILL and require you the Lieutenant-Governor, the Bailiff or his Lieutenant and the Jurats of our said Isle, or either of you, to admit and receive the said James Ewald Le Page and such his Deputy or Deputies to the exercise and execution of the said Office, and to administer unto him or them the oath accustomed in that behalf to be taken by the Clerk or Greffier of Our Royal Court aforesaid for the faithful discharge of the said Office.

Given at Our Court at Saint James's
the Sixteenth Day of June, 1948,
in the Twelfth year of Our Reign

By His Majesty's Command

J. CHUTER EDE.

James Ewald Le Page, Esquire,
Clerk or Greffier of the
Royal Court of Guernsey.

1948

(Registered on the Records on the 26th June, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 2nd day of June, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.LORD PRESIDENT.
EARL OF LISTOWEL.
LORD PAKENHAM.
MR. SECRETARY EDE.
MR. DALTON.Taxation of
Foreign
Motor
Vehicles
Law, 1947.

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 May, 1948, in the words following, viz. :—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1.—That the States of Deliberation, at a meeting held on the 19th day of December, 1947, considered a Bill or “*Projet de Loi*” entitled “*Loi portant amendement à la Loi par rapport à la Convention Internationale de 1931 sur le Régime Fiscal d’Automobiles Etrangers,*” when a resolution was passed approving the same and authorizing the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of the Island of Guernsey entitled “*Loi portant amendement à la Loi par rapport à la Convention Internationale de 1931 sur le Régime Fiscal d’Automobiles Etrangers*”, and to order and direct that the same shall have force of law in the said Island.’

1948

“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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“LOI PORTANT AMENDEMENT À LA LOI PAR RAPPORT À LA CONVENTION INTERNATIONALE DE 1931 SUR LE RÉGIME FISCAL D’AUTOMOBILES ÉTRANGERS”.

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

1948

Exemptions.

1.—The Loi par rapport à la Convention Internationale de 1931 sur le Régime Fiscal d'Automobiles Etrangers registered on the Records of this Island on the 21st day of November, 1936 (hereinafter called "the Principal Law") is hereby amended by the addition immediately following Article 3 thereof of the Article hereinafter set out:—

"4. Notwithstanding any of the provisions of Article 2 of this Law, the Board of Administration may by regulation exempt vehicles registered in the territory of any of the High Contracting Parties to the International Convention of 1931 regarding the Taxation of Foreign Motor Vehicles from the necessity of being furnished with fiscal permits in accordance with the provisions of Article 2 of this Law, and a vehicle so exempted shall be deemed for the purposes of Article 2 of this Law to be duly furnished with such a fiscal permit."

Citation.

2.—This Law may be cited as the Taxation of Foreign Motor Vehicles Law, 1947, and this Law and the Principal Law shall be construed together, and may be cited together as the Taxation of Foreign Motor Vehicles Laws, 1936 and 1947.

(Registered on the Records on the 26th June, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 2nd day of June, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

EARL OF LISTOWEL.

LORD PAKENHAM.

MR. SECRETARY EDE.

MR. DALTON.

The
Teachers'
(Superan-
nation)
Law
(Guernsey),
1948.

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 28th day of May, 1948, in the words following, viz.:—

1948

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That, in pursuance of their Resolution of the 25th day of February, 1947, the States of Deliberation at a meeting held on the 31st day of March, 1948, approved a Bill or “Projet de Loi” entitled “The Teachers’ (Superannuation) Law (Guernsey), 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Teachers’ (Superannuation) Law (Guernsey), 1948”, and to order and direct that the same shall have 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.

1948

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE TEACHERS’ (SUPERANNUATION) LAW
(GUERNSEY) 1948”.

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

Repeal.

1. The enactments set out in the Schedule hereto are hereby repealed.

Pension
rights of
teachers,
etc.

2. Save in so far as the States may by Resolution direct, every person employed or who has been employed in this Island for any period as a teacher or in a capacity which involves the control or supervision of teachers or the performance of duties of an organising or advisory character in connection with the provision of education or of services ancillary thereto and in which performance teaching experience is of value

(a) shall as respects pension be and shall be deemed always to have been liable to pay the same contribution to and to be and have been subject

to the like duties towards the States Education Council as such person would in England have been liable to pay to and to be subject to perform towards the Minister of Education, (which expression shall include any person or body at any time performing or having performed the duties of the Minister of Education); and

- (b) shall be and shall be deemed always to have been entitled to the same pension rights from, and to exercise the like other rights as respects pension in relation to, the States Education Council as such person would in England have been entitled to receive from and exercise in relation to the Minister of Education

as if he were or had been engaged in the like employment and for the same period in England.

3. The States Education Council shall pay all moneys payable by that Council in pursuance of this Law in such manner and at such times as may be agreed between the said Council and the Minister of Education.

Payment of
moneys
payable by
Council.

SCHEDULE.

Loi sur la Mise en Retraite des Instituteurs, registered on the Records of this Island on the 17th day of July, 1920.

Loi supplémentaire à la Loi sur la Mise en Retraite des Instituteurs, registered on the Records of this Island on the 22nd day of August, 1923.

Loi supplémentaire à la Loi de 1920 sur la Mise en Retraite des Instituteurs et à la Loi de 1923 qui y est supplémentaire, registered on the Records of this Island on the 3rd day of September, 1927.

The Teachers' (Superannuation) Law, (Guernsey) 1939.

The Teachers' (Superannuation) (Increase of Benefits) (Guernsey) Law, 1947.

1948

(Registered on the Records on the 26th June, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 2nd day of June, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.LORD PRESIDENT.
EARL OF LISTOWEL.
LORD PAKENHAM.
MR. SECRETARY EDE.
MR. DALTON.The German
Occupation
Laws Repeal
Law, 1948.

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 28th day of May, 1948, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That the States of Deliberation at a meeting held on the 31st day of March, 1948, approved a Bill or “Projet de Loi” entitled “The German Occupation Laws Repeal Law, 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The German Occupation Laws Repeal Law, 1948”, and to order and direct that the same shall have 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 con-

sideration, 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.”

1948

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE GERMAN OCCUPATION LAWS REPEAL
LAW, 1948”.

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

The laws set out in the Schedule hereto are hereby repealed.

1948

SCHEDULE.

- “Loi autorisant dans certains cas une réduction jusqu'à 2½% sur la Taxe sur le Revenu,” registered on the Records of this Island on the 13th day of August, 1940.
- “Loi concernant la Qualification requise pour tenir certains Offices,” registered on the Records of this Island on the 19th day of January, 1942, as amended by the “Loi de 1947 portant amendement à la Loi concernant la Qualification requise pour tenir certains Offices,” registered on the Records of this Island on the 30th day of August, 1947.
- “Acte approuvant un Impôt sur tout Tabac crû dans le Bailliage de l'Île de Guernesey et manufacturé dans la dite Île,” registered on the Records of this Island on the 27th day of October, 1943.

(Registered on the Records on the 10th July, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 22nd day of June, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD PRIVY SEAL.

LORD KILLEARN.

MR. SECRETARY EDE.

MR. SECRETARY NOEL-BAKER.

MR. MACKENZIE.

SIR FRANK SOSKICE.

The
Housing
Control
(Emergency
Provisions)
(Guernsey)
Law, 1948.

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 June, 1948, in the words following, viz.: —

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the

humble Petition of the States of the Island of Guernsey, setting forth:—

1948

‘ 1.—That, in pursuance of their Resolution of the 4th day of February, 1948, the States of Deliberation at a meeting held on the 3rd day of March, 1948, approved a Bill or “*Projet de Loi*” entitled “*The Housing Control (Emergency Provisions) (Guernsey) Law, 1948*” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “*The Housing Control (Emergency Provisions) (Guernsey) Law, 1948*”, and to order and direct that the same shall have 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

1948

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE HOUSING CONTROL (EMERGENCY
PROVISIONS) (GUERNSEY) LAW, 1948”.

THE STATES, in pursuance of their Resolution dated the 4th day of February, 1948, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Occupation
of dwellings
by certain
persons.

1. (1) A person, other than a person who at some time during the period beginning on the first day of January, one thousand nine hundred and thirty-eight and ending on the thirtieth day of June, one thousand nine hundred and forty had his ordinary place of residence in the Island of Guernsey, shall not, save under and in accordance with the conditions, if any, of a licence granted in that behalf by the States Housing Authority (hereinafter referred to as “the Authority”) occupy any dwelling in the Island of Guernsey.

(2) The Authority may attach to the grant of a licence such conditions as it may deem necessary or expedient by reason of any shortage of housing accommodation in the Island of Guernsey at the time of the granting of a licence.

(3) For the purposes of this Law the expression "dwelling" means any premises, or any part of any premises, wholly or principally used or usable for the purpose of human habitation.

(4) The provisions of subsection (1) of this section shall not apply to a person—

- (a) occupying the whole or any part of a furnished dwelling if the period of such occupation by that person in any period of twelve consecutive months does not exceed a total period of ninety days ; or
- (b) occupying accommodation in any hotel, inn, guest-house or boarding-house in the ordinary course of the business of the person conducting the same or in any premises under an agreement for the provision of board and lodging by the occupier of those premises ; or
- (c) as respects the occupation by that person of any dwelling which he occupied or was entitled to occupy before the commencement of this Law.

(5) The occupation by any person of any dwelling in breach of the provisions of subsection (1) of this Section shall be invalid only for the purposes of this Law and shall not be questioned except by the Authority in pursuance of the provisions thereof.

2. (1) An appeal shall lie to the Royal Court sitting as an Ordinary Court from any refusal by the Authority to grant a licence or as respects any condition attached by the Authority to the grant of a licence and thereupon the Court may dismiss the appeal or may issue a direction to the Authority to grant a licence with or without conditions attached thereto or, in the case of an appeal as respects any condition attached to the grant of a licence, may issue a direction to the Authority to grant a licence without conditions or to grant the same subject to such variation in the conditions as the Court thinks appropriate in the circumstances. Appeals.

1948

(2) Every appeal shall be instituted by way of petition and by the service upon the President of the Authority at the office of that Authority of a summons together with a copy of the Petition.

Breach of provisions of Section 1 (1).

3. (1) In the event of a breach of any of the provisions of subsection (1) of Section 1 of this Law, the Authority shall be entitled, upon citing the person occupying in breach of that provision to attend, to apply to the Royal Court sitting as an Ordinary Court for an order vesting the possession of the dwelling so occupied, or of some part or parts thereof, in the Authority, for such period and upon such reasonable terms and conditions, having regard to all the circumstances of the case, as the Court may prescribe and upon the making of such an order the possession of that dwelling or of the part or parts thereof to which the order relates shall vest in the Authority accordingly as though the Authority were a tenant thereof with power to make application for the granting of an eviction order against any person in occupation of the dwelling or part or parts thereof to which the order relates and to sub-let the same to, or permit the use thereof by, or with the assent of the owner to assign the interest of the Authority to, any person or persons for the purposes of human habitation.

(2) Upon any such application by the Authority for the granting of an eviction order against any person, the Court shall not be bound to take into account any of the matters referred to in Section 3 of the Law giving the Court increased power to stay execution in actions for eviction registered on the 31st day of August, 1946.

Legal proceedings against landlords or vendors.

4. Upon the making of an order vesting the possession of a dwelling or any part thereof in the Authority, any person occupying that dwelling or that part thereof, as the case may be, at the time of the making of the order under a lease or tenancy agreement or by virtue of his ownership of that dwelling under a conveyance shall be entitled, within the ninety days next

following the date of the making of the order, to take legal proceedings—

- (a) in the case of a lease or tenancy agreement, against his landlord with a view to the making by the Court of an order declaring the lease or tenancy agreement to be avoided ; or
- (b) in the case of a conveyance as aforesaid, against the vendor thereunder with a view to the making by the Court of an order requiring the latter to take a reconveyance of the premises for the same consideration and on the same terms and conditions as nearly as may be as those for and on which he himself acquired the ownership of the premises ;

and, in either case, for the reimbursement of the legal charges and disbursements incidental to such acquisition incurred by him, and thereupon the Court, if it is satisfied that at the time of the execution of the lease or of the making of the tenancy agreement or of the completion of the conveyance, neither the lessee, tenant or purchaser, as the case may be, nor his servant or agent, was aware of the necessity for procuring a licence under this Law in order that he should be entitled to occupy the premises so leased, let or conveyed to him, may make an order accordingly subject to such directions and conditions as shall appear to the Court to be just.

5. This Law shall not apply to the occupation of property in the possession or ownership of the Crown, of any Department of His Majesty's Government, of the States of Guernsey or of any Committee of the States. Exceptions.

6. (1) This Law shall commence to operate on the seventh day next following the date of the registration on the Records of the Island of Guernsey of the Order of His Majesty in Council sanctioning the same and shall remain in force during the continuance of the present housing emergency in the Island of Guernsey. Commencement and duration.

1948

(2) The expression "the continuance of the present housing emergency in the Island of Guernsey" means the period beginning on the date of the commencement of this Law and ending on the 31st day of December, 1957, or on such earlier date as shall be prescribed by the States and declared by Ordinance.

(Registered on the Records on the 10th July, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 22nd day of June, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
LORD PRIVY SEAL.
LORD KILLEARN.
MR. SECRETARY EDE.
MR. SECRETARY NOEL-BAKER.
MR. MACKENZIE.
SIR FRANK SOSKICE.

Law
authorising
Increases in
the Rates of
certain
Duties,
Impôts and
Taxes, 1948.

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 June, 1948, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

' 1.—That, in pursuance of their Resolution of the 17th day of December, 1947, the States of Deliberation at a meeting held on the 4th day of February, 1948, approved a Bill or "Projet de Loi" entitled "Law authorising Increases in the Rates of certain Duties, Impôts and Taxes, 1948" and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "Law authorising Increases in the Rates of certain Duties, Impôts and Taxes, 1948" and to order and direct that the same shall have force of Law in the Island of Guernsey.'

1948

"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.

E. C. E. LEADBITTER.

1948

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“ LAW AUTHORISING INCREASES IN THE
RATES OF CERTAIN DUTIES, IMPÔTS AND
TAXES, 1948 ”.

THE STATES, in pursuance of their Resolution of the 17th day of December, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

The States may, by Resolution, increase by an amount not exceeding fifty per centum thereof the rate at which the several Duties, Impôts and Taxes mentioned in the Schedule to this Law were leviable on the 31st day of December, 1947.

SCHEDULE.

The Stamp Duties, or any of them.

The Impôts on (a) Beer

(b) Cider

(c) Matches

(d) Spirits

(e) Wines.

The Tax on Rental Values.

The Tax on Entertainments.

*(Registered on the Records on the 10th July, 1948.)*1948

AT THE COURT AT BUCKINGHAM PALACE,

The 2nd day of June, 1948.

PRESENT,
 THE KING'S MOST EXCELLENT MAJESTY.
 LORD PRESIDENT.
 EARL OF LISTOWEL.
 LORD PAKENHAM.
 MR. SECRETARY EDE.
 MR. DALTON.

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 28th day of May, 1948, in the words following, viz.:—

Law relating
to Posts and
Telegraphs,
1948.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That the States of Deliberation at a meeting held on the 31st day of March, 1948, considered a Bill or “Projet de Loi” entitled “Loi portant amendement à la Loi relative à l’application dans le Bailliage de l’Ile de Guernesey de certains Actes du Parlement relatifs aux Postes et Télégraphes,” which Bill is designed to apply throughout the Bailiwick of the Island of Guernsey, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—That, at a sitting of the States of the Island of Alderney held on the 19th day of February, 1948, the said Bill or “Projet de Loi” was duly considered, when a resolution was passed approving the same: 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

1948

that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "Loi portant amendement à la Loi relative à l'application dans le Bailliage de l'Île de Guernesey de certains Actes du Parlement relatifs aux Postes et Télégraphes" and to order and direct that the same shall have force of Law in the Bailiwick of 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 Pojet 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 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

1948

PROJET DE LOI

ENTITLED

“ LOI PORTANT AMENDEMENT À LA LOI
RELATIVE À L'APPLICATION DANS LE
BAILLIAGE DE L'ILE DE GUERNESEY DE
CERTAINS ACTES DU PARLEMENT RELATIFS
AUX POSTES ET TÉLÉGRAPHES ”.

LES ETATS ont approuvé les dispositions suivantes, Amende-
lesquelles, moyennant la Sanction de Sa Très Excel- ments à la
lente Majesté en Conseil, auront force de loi dans le Section III de
Bailliage de l'Ile de Guernesey. la Loi de
1906.

1. Dans l'alinéa (a) de la sub-division (3) de la Section III de la Loi relative à l'application dans le Bailliage de l'Ile de Guernesey de certains Actes du Parlement relatifs aux Postes et Télégraphes, enregistrée sur les Records de cette Ile le 1er décembre 1906 (ci-après désignée “ la Loi principale ”),

- (a) après les mots “ un mois ” qui s'y trouvent à la première ligne, seront insérés les mots “ ou dans le cas de travaux relatifs à une ligne électrique dit anglicé ‘ service line ’, ainsi que cette expression est interprétée dans l'Acte du Parlement dit ‘ The Electric Lighting (Clauses) Act, 1899 ’, quatorze jours, ”; et
- (b) les mots “ soit dans un rue, ou route, soit au-dessus ou en-dessous ” qui s'y trouvent aux deuxième et troisième lignes, seront rayés.

2. Dans la sub-division (5) de la dite Section III, après les mots “ Dans cette section, ” qui s'y trouvent à la première ligne, seront insérés les mots “ l'expression ‘ ligne télégraphique ’ aura la même signification que l'expression anglicé ‘ telegraphic line ’ dans le dit Acte ‘ The Telegraph Act, 1878 ’ et ”.

1948
Interpré-
tation.

3. La Loi principale et cette Loi seront interprétées ensemble et une référence tant à la Loi principale qu'à cette Loi sera entendue par l'expression "Lois relatives aux Postes et Télégraphes, 1906 et 1948".

TRANSLATION

PROJET DE LOI

ENTITLED

"LAW AMENDING THE LAW RELATING TO THE APPLICATION IN THE BAILIWICK OF THE ISLAND OF GUERNSEY OF CERTAIN ACTS OF PARLIAMENT RELATING TO POSTS AND TELEGRAPHS."

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

Amend-
ments to
Section III
of Law of
1906.

1. In paragraph (a) of sub-division (3) of Section III of the Law relating to the application in the Bailiwick of the Islands of Guernsey of certain Acts of Parliament relating to Posts and Telegraphs, registered on the Records of this Island on the 1st day of December, 1906 (hereinafter called "the principal Law"),

(a) after the words "a month" which there appear in the first line, there shall be inserted the words "or in the case of works relating to an electric line called in the English language 'service line', as this expression is interpreted in the Act of Parliament called 'The Electric Lighting (Clauses) Act, 1899', fourteen days,"; and

(b) the words "whether in a road or street, whether above or below" which there appear in the second and third lines, shall be deleted.

2. In sub-division (5) of the said Section III, after the words "In this section," which there appear in the first line, there shall be inserted the words "the

1948

expression 'telegraphic line' shall have the same meaning as the expression in the English language 'telegraphic line' in the said Act of Parliament 'The Telegraph Act, 1878' and".

3. The principal Law and this Law shall be interpreted together and a reference both to the principal Law and to this Law shall be included in the expression "Laws relating to Posts and Telegraphs, 1906 and 1948".

Interpretation.

(Registered on the Records on the 17th July, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 22nd day of June, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD PRIVY SEAL.

LORD KILLEARN.

MR. SECRETARY EDE.

MR. SECRETARY NOEL-BAKER.

MR. MACKENZIE.

SIR FRANK SOSKICE.

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, 1948, in the words following, viz:—

Loi portant amendement à la Loi relative à la Fourniture de la Lumière Electrique (Alderney).

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Frank Henry Cufaude Wiltshire, Knight Bachelor, M.C., Judge and President of the States of the Island of Alderney, setting forth:—

'That at a Meeting of the States of Alderney holden before Your Petitioner on the 2nd day of March, 1948, the States considered and adopted a Projet de Loi amending the Projet de Loi intituled "Projet de loi relatif à la fourniture de la lumière électrique," which was sanctioned by His Most

1948

Gracious Majesty in Council on the 24th day of March, 1936, and Your Petitioner was authorised to present in the name of the States a most humble Petition to Your Most Gracious Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction. And most humbly praying Your Majesty to grant Your Royal Sanction to the said Projet de Loi (a copy whereof is hereunto annexed), and to order the same to 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."

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

1948

PROJET DE LOI

INTITULÉ

“ LOI PORTANT AMENDEMENT À LA LOI
RELATIVE À LA FOURNITURE DE LA
LUMIÈRE ÉLECTRIQUE ”.

WHEREAS by virtue of the Loi relative à la Fourniture de la Lumière Electrique approved by His Majesty in Council on the 24th day of March, 1936, and duly registered on the Records of this Island (hereinafter referred to as “ the 1936 Law ”) the States of Alderney granted to Mathew Peter Davidson Marshall (therein and hereinafter referred to as “ the Grantee ”, which expressions therein included and hereinafter includes his heirs, executors, administrators and permitted assigns) the sole right, subject as in the 1936 Law provided, to supply electric light and power for use in the Island of Alderney, and to do such things ancillary to such right as were thereafter set out :

WHEREAS the Grantee with the consent of the States of Alderney by Deed dated the fourth day of October, 1939, duly transferred to the Alderney Light and Power Company Limited (a Company incorporated by Act of the Court of Alderney on the 22nd day of July, 1939, and registered on the Companies Register of the Island of Alderney hereinafter referred to as “ the Company ” which expression shall where the context so permits include the Company’s successors and permitted assigns) the benefit and burden of the concession granted by the above-recited right, together with all buildings plant machinery cables wires and other electrical apparatus fixtures and fittings erected or installed by the Grantee thereunder as existing on the said fourth day of October, 1939, (all of which are hereinafter collectively referred to as “ the Grantee’s apparatus ”):

1948

WHEREAS the German Forces occupied the Island of Alderney and seized the Grantee's apparatus and so converted and altered the same that they do not now comply in all respects with the requirements of the 1936 Law:

WHEREAS the Company have now resumed possession of the Grantee's apparatus and have resumed the supply of electric light and power for use in the Island of Alderney.

THE STATES OF ALDERNEY have therefore approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of Law in the Island of Alderney.

Grantee.

1. The 1936 Law shall be construed as though the Company were therein substituted for the Grantee, and references therein to the Grantee shall be construed as references to the Company.

Compliance
with
Regulations,
etc.

2. (i) References in the 1936 Law to the rules and regulations of the Institution of Electrical Engineers shall be deemed to be references to the Electricity Supply Regulations made under and by virtue of the Electricity (Supply) Acts 1882 to 1936 and the Overhead Lines Regulations made under and by virtue of the Electricity (Supply) Acts 1882 to 1928 (which said latter Regulations are hereinafter together called "the Regulations").

(ii) Notwithstanding anything in the provisions of the 1936 Law contained, the Regulations shall not be enforced until the expiration of twelve months after the date of the registration of this Law on the Records of this Island in respect of the Grantee's apparatus as re-possessed by the Company, in so far as the same are retained and worked by the Company, but shall apply and be enforceable forthwith in respect of any cables, wires, electrical apparatus, plant, machinery, fixtures and fittings installed by the

Company after the said date of registration (hereinafter called "the date of registration") and the provisions of Article 1 of the 1936 Law shall be read and construed accordingly.

1948

(iii) In pursuance of the provisions of paragraph (i) of this Article the Company shall as soon as practical, and in any event within one year of the date of registration, take such steps in respect of all or any part of the Grantee's apparatus which does not conform with the requirements of the said Regulations as may be necessary to reinstate or adjust such apparatus or such part thereof so as to conform with the Regulations, and notwithstanding anything in this Article contained shall not at any time permit the Grantee's apparatus or any part thereof to become or to remain in a dangerous condition.

(iv) The States of Guernsey Telephone Council shall have in respect of the telegraphic lines (which expression shall have the same meaning as in the Telegraph Act 1878) owned by them and situate on the Island of Alderney the like rights as against the Company as the Postmaster General has in respect of his telegraphic lines there situate and the Company shall be bound similarly to serve notices or to furnish information to and to comply with the requirements of the said Council as the Company is bound to serve furnish and comply in relation to the Postmaster General.

3. All electric lines existing in the Island of Alderney and being used by the Company on the date of registration and the generating stations and substations set out in the Schedule to this Law, whether or not the same were placed or erected with the consent of the owner and occupier of the land across or upon which the same have been placed or erected shall be deemed to have been so placed or erected with the consent of such owner and occupier.

Electric
lines,
stations, etc.

1948

PROVIDED ALWAYS that as respects the rights reserved by the second proviso to Article 10 of the 1936 Law

(a) owners and occupiers of land on which the generating stations or sub-stations have been placed shall have as respects those stations or sub-stations the like rights as owners and occupiers of land across which an electric line has been placed have in respect of that line ; and

(b) the period at the expiration of which the said rights may be exercised shall be in respect of such electric lines and generating stations and sub-stations as aforesaid the expiration of twelve months from the date of registration.

Substitution
of new
Article 11
(Supply of
electricity).

4. Article 11 of the 1936 Law shall be deleted and the following article substituted therefor :—

“ 11.—(1) Electricity shall be supplied for domestic purposes by a three phase four wire 50 cycle system at a declared pressure of 400 volts between phases and 230 volts between each phase and earthed neutral.

(2) The voltage shall be maintained within a permissible variation not exceeding six per centum above or below the said declared pressure.

(3) The Company shall at all times use its best endeavours to maintain the frequency of the supply within prescribed limits of one per centum above or below the declared frequency, but shall not be bound to maintain such frequency in terms of time-controlled apparatus, that is to say, against standard time.”

Proviso to
Article 12
(Apparatus
and
appliances).

5. There shall be added at the end of Article 12 of the 1936 Law the following provision, namely :—

“ All electrical apparatus and appliances intended by any person to be connected with the electric lines of the company shall before the same are connected or used be notified by such person to the Company and approved by the Company, and in

default of such notification or if any such apparatus or appliances is or are not approved by the Company the same shall not be connected with the Company's electric lines. In the event of a breach of the provisions of this Article and as often as any such breach shall occur the Company may, without prejudice and in addition to any other remedy open to the Company, cut off the supply of electricity to the premises in respect of which such breach has occurred and the Company shall not be bound to resume such supply until the apparatus or appliances in question shall have been made to conform with the reasonable requirements of the Company and payment has been made of the Company's reasonable costs and expenses incurred in cutting off and re-connecting the said supply."

1948

6.—(i) The operation of Article 15 of the 1936 Law shall be suspended until such date (hereinafter called "the resumption date") as the States of Alderney may by Resolution declare it to be again operative, which date shall not be less than 12 months from the date of registration.

Suspension
of operation
of Article 15,
etc.

(ii) Between the date of registration and the resumption date the Company shall charge for electricity supplied

- (a) in respect of consumers on whose premises the Company has not yet installed a meter, at the existing rate of sixpence for each point at which electricity is consumed ; and
- (b) in respect of consumers on whose premises the Company has installed a meter, then at the option of each consumer, either at a flat rate per Board of Trade unit consumed which shall not exceed eleven pence for each such unit or by making in respect of each consumer a fixed periodical charge based on that consumer's estimated requirements plus a charge for each Board of Trade unit consumed, which shall be less than the

1948

Company's normal charge in Alderney for the supply of such a unit.

(iii) Notwithstanding anything in Article 15 of the 1936 Law contained, the Company shall from and after the resumption date give to each consumer the option of paying for his supply of electricity in accordance with one or other of the alternative modes set out in sub-paragraph (b) of paragraph (ii) of this Article.

(iv) For the purposes of this Article and of Article 15 of the 1936 Law, the expression "meter" shall mean a meter certified by an electricity inspector of the Company approved by the States Electricity Board of Alderney to be a correct meter, and to be of some construction and pattern and to have been fixed and to have been connected with the service lines in some manner approved by the Board of Trade or Electricity Commissioners, and every such meter shall be provided, installed, connected and maintained by the Company at the Company's expense, and shall remain the property of the Company, and shall be let for hire to the consumer on such terms as may be agreed upon between the consumer and the Company.

Amendment
of Article 20.

7. In Article 20 of the 1936 Law the words "twenty eight years" shall be substituted for the words "twenty one years" wherever the last mentioned words appear therein.

Breaches by
Company.

8. (i) If the Company on receiving written notification from the States of Alderney or from His Majesty's Postmaster-General or from the States Telephone Council of Guernsey of any breach on the Company's part of any of the provisions of Articles 2, 4 or 6 of this Law or of any of the provisions of the Agreement dated the 18th day of February, 1948, and made between the Right Honourable Wilfred Paling, His Majesty's Postmaster-General of the first part, William Loughrey Henderson Esquire, President of the States Telephone Council of the second part and the Company of the third part, shall fail or neglect

1948

within such time as shall be specified in the notification to remedy such breach, then, unless during the period of three months from the date of the sending of the notification it shall have been withdrawn in writing by the party who sent it, the rights conferred upon the Company by this Law and by the 1936 Law shall be forfeited three months after the date of the sending of the notification, but without prejudice to any rights accrued at such date to or against the Company, and the Company shall on that date be deemed to have agreed to sell to such person or persons or body corporate as the States of Alderney shall direct or if the States shall so direct, then to the States, all the premises, buildings and equipment then owned by the Company, and the Company shall receive in consideration for such sale such a sum as the Company and the States of Alderney shall agree as representing the fair market value of such premises, buildings and equipment, but without adding thereto any sum as compensation for loss of goodwill, and in default of such agreement, the market value shall be determined by arbitration in accordance with the procedure set out in Article 27 of the 1936 Law.

(ii) The Company shall on receipt of such a notification as aforesaid forthwith supply to the States of Alderney at the Company's expense an inventory of the Company's premises, buildings and equipment and shall not (unless the notification shall be withdrawn as hereinbefore provided) sell or part with the possession of all or any part of the Company's premises, buildings or equipment without the consent in writing of the States of Alderney.

(iii) Any notification required by the provisions of this Article to be given to the Company shall be well and sufficiently given if sent through the post by registered letter addressed to the Company at 40 Victoria Street in the Island of Alderney.

9. This Law may be cited as the Electricity Con-
cession Law 1948 and the 1936 Law and this Law shall

Citation.

1948

be read and construed together as one Law and may be cited together as the Electricity Concession Laws 1936 and 1948.

SCHEDULE.

The Channel Islands Granite Company's
Generating Station.

The sub-station at Crabby.

The sub-station at Essex House.

The sub-station at the Arsenal.

The sub-station behind farm buildings near
Berry's Quarry.

The generating station at Giffoine.

(Registered on the Records on the 17th July, 1948.)

Copyright
(Rome Con-
vention)
(Iceland)
Order, 1948.

The Bailiff having this day communicated to the Court an Order of His Majesty in Council dated the 22nd day of June, 1948, transmitting copies of an Order in Council also dated the 22nd day of June 1948 entitled "The Copyright (Rome Convention)(Iceland) Order, 1948",—the Court, after the reading of the said communicated Order in Council and after having heard His Majesty's Procureur thereon, ordered that the said Orders in Council be registered on the records of this Island and that an extract of this present Act with a copy of the said Orders in Council be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 27th July, 1948.)

Title of
Lieutenant-
Governor.

The Bailiff having this day placed before the Court a letter from the Government Secretary dated 24th July 1948 transmitting a letter from the Home Office dated 15th July 1948; and a Warrant under His Majesty's Royal Sign Manual bearing date the

1948

25th June 1948, directing and declaring that the holder for the time being of the Office of Lieutenant-Governor of the Island of Guernsey shall henceforth be called and known as Lieutenant-Governor and Commander-in-Chief of the Island of Guernsey and its Dependencies,—the Court, after the reading of the said letters and the said Warrant and, after hearing His Majesty's Procureur thereon, ordered that the said Warrant and Home Office letter be registered on the Records of the Island of Guernsey and that a copy of this present Act and of the said Warrant and letter be transmitted by His Majesty's Greffier to the Judge of Alderney and the Seneschal of Sark for registration of which Warrant and Home Office letter the tenor followeth :—



GEORGE R.

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, to all to whom these Presents shall come,

GREETING !

WHEREAS by warrant under Our Royal Sign Manual bearing date the Twenty-second day of August, one thousand nine hundred and forty-five, We were pleased to appoint Our Trusty and Well beloved Sir Philip Neame, upon whom has been conferred the Decoration of the Victoria Cross, Knight Commander of Our Most Excellent Order of the British Empire, Companion of Our Most Honourable Order of the Bath, Companion of Our Distinguished Service Order, Major-General (temporary Lieutenant-General) of Our Forces, to be Our Lieutenant-Governor of Our Island of Guernsey and other Islands, Forts and Appurtenances thereto belonging for and during Our Pleasure :

1948

AND WHEREAS there has been diversity of usage and uncertainty and as to the full style and title of the said Office We have deemed it expedient that the style and title shall be that of Lieutenant-Governor and Commander-in-Chief of Our Island of Guernsey and its Dependencies :

NOW KNOW YE that We do accordingly by these Presents direct and declare that the holder for the time being of the Office of Lieutenant-Governor of Our Island of Guernsey shall henceforward be called and known as Lieutenant-Governor and Commander-in-Chief of Our Island of Guernsey and its Dependencies :

AND for so doing this shall be your warrant.

Given at Our Court at Saint James's
the Twenty-fifth day of June, 1948 ;
In the Twelfth Year of Our Reign.

By His Majesty's Command

J. CHUTER EDE.

WARRANT amending the style
and title of the Lieutenant-
Governor of Guernsey.

Home Office,
Whitehall.

15th July, 1948.

SIR,

I am directed by the Secretary of State to inform you that His Majesty has been graciously pleased to approve a revision of the style and titles of the Lieutenant-Governors of the Channel Islands, and to transmit herewith, a Warrant under His Majesty's Royal Sign Manual bearing date the 25th June, 1948, directing and declaring that the holder for the time being of the Office of Lieutenant-Governor of the Island of Guernsey shall henceforward be called and

1948

known as Lieutenant-Governor and Commander-in-Chief of the Island of Guernsey and its Dependencies.

In transmitting this Warrant, I am to inform you that this additional title in no way affects the constitutional privileges of the People of Guernsey and its Dependencies nor the constitutional position of any of His Majesty's Officers therein.

I am, Sir,

Your obedient Servant,

F. A. NEWSAM.

The Lieutenant-Governor,
Government Office,
Guernsey,
Channel Islands.

(Registered on the Records on the 28th August, 1948.)

The Bailiff having this day placed before the Court five Orders of His Majesty's Treasury entitled respectively :—

Exchange
Control
Orders.

1. The Exchange Control (Payments) Order, 1948 (1948 No. 1080).
2. The Exchange Control (Payments) (Chile) Order, 1948 (1948 No. 1418).
3. The Exchange Control (Blocked Accounts) Order, 1948 (1948 No. 1663).
4. The Exchange Control (Payments) (Peru) Order, 1948 (1948 No. 1736).
5. The Exchange Control (Payments) (Tangier) Order, 1948 (1948 No. 1856).

The Court, having heard His Majesty's Comptroller, ordered that the said Orders be registered on the Records of this Island and that an Extract of this Act of Court together with a copy of each of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

1948

(Registered on the Records on the 28th August, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

VISCOUNT HALL.

MR. CHANCELLOR OF THE EXCHEQUER.

MR. KEY.

The Reform
(Guernsey)
Law, 1948.

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 July, 1948, in the words following, viz. :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1. That the States of Deliberation, by Resolution dated the 23rd day of January, 1946, adopted certain proposals relating to the Reform of the States of Guernsey, which Resolutions were transmitted in order that the pleasure of Your Majesty might be ascertained on the reforms therein envisaged : 2. That by an Order of Your Majesty in Council dated the 4th day of June, 1946, Your Majesty did appoint a Committee of Your Majesty’s Privy Council to inquire (inter alia) into the proposed reforms in the constitution and procedure of the States of Guernsey and that Committee visited Guernsey from the 21st September, 1946, to the 29th September, 1946, and reported to Your Majesty in March, 1947 : 3. That the States of Deliberation, at meetings held on the 25th day of June, 1947, and the 17th day of September, 1947, respectively, adopted, with certain minor amendments, the recommendations with regard

1948

to the States of Guernsey contained in the above report: 4. That, in pursuance of the above Resolutions, the States of Deliberation, at a meeting held on the 16th day of June, 1948, approved a Bill or "Projet de Loi" entitled "The Reform (Guernsey) Law, 1948" and requested the Bailiff 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 might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Reform (Guernsey) Law, 1948", and to order and direct that the same shall have force of Law in the Islands of Guernsey, Herm and Jethou.'

"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 Islands of Guernsey, Herm and Jethou.

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.

1948

AND the Lieutenant Governor and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“ THE REFORM (GUERNSEY) LAW, 1948. ”

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou :—

ARRANGEMENT OF ARTICLES.

PART I.

The States of Deliberation.

Article.

1. Constitution.
2. Member elected to more than one office.
3. Quorum.

PART II.

The States of Election.

Article.

4. Constitution.
5. Functions of the States of Election.
6. Quorum.

PART III.

1948

*General. States of Deliberation and of Election.**Article.*

7. Procedure.
8. Eligibility as Conseiller or People's Deputy.
9. Nomination of Jurat, Conseiller or His Majesty's Sheriff.
10. Election of Conseillers.
11. Member voting in election at which he is a candidate.
12. Casual vacancies for office of Conseiller.
13. Term of office of a person filling a casual vacancy in the office of Conseiller.
14. Election of ten Douzaine Representatives to the States of Deliberation.
15. Douzaine Representatives in the States of Election.
16. Duty of a Douzaine Representative.
17. Resignation of Conseillers, People's Deputies or Douzaine Representatives.
18. Membership of States Committees.
19. Oath of Office and Allegiance.
20. Validity of acts done by unqualified persons.
21. Review in ten years.
22. Duties of H.M. Greffier, H.M. Sheriff and H.M. Sergeant.
23. Abolition of Cantonal Douzaines.
24. Interpretation.

PART IV.

*Election of People's Deputies.**Article.*

25. Compilation of Electoral Roll by Registrar-General.
26. Division of the Electoral Roll, and definition of the Electoral Districts.
27. Persons entitled to vote.
28. Persons not to vote unless inscribed on the Electoral Roll. Penalties for plural voting.

1948

Article.

29. Holding of Elections.
30. Elections to be determined by Secret Ballot Law.
31. Procedure in case of equality of votes.
32. Nominations.
33. Number of candidates not exceeding number of seats vacant.
34. Compilation, publication and correction of Electoral Roll.
35. Copies of Electoral Roll to be kept at Greffe and States Office.
36. Candidates permitted to procure copies of relevant section of Electoral Roll.
37. Returning Officers.
38. Supervision of Ballot.
39. Hours of Polling.
40. Duties on completion of Ballot.
41. Recount.
42. Register to be kept of persons under disability.
43. Persons physically incapable of recording a vote.
44. Expenditure by candidates.
45. Return of expenditure by candidates.
46. Obligation of secrecy.
47. List of Electoral Districts and allocation of Deputies.
48. Herm and Jethou deemed part of St. Peter Port.
49. Interpretation.

PART V.

*Election of Constables and Douzeniers.**Article.*

50. Application of Law to election of Constables and Douzeniers.
51. Eligibility for office.
52. Persons entitled to vote.

1948

Article.

53. Application of Part IV of this Law.
54. Responsibility for conduct of Elections.
55. Notice of Elections.
56. Duty of Registrar-General to supply Roll.
57. Nominations.
58. Number of candidates not exceeding vacancies.
59. Contested Election.
60. Polling Stations.
61. Oath of office.
62. Interpretation.

PART VI.

*Transfer to the States of Deliberation of
Functions of a legislative nature hitherto
exercised by the Royal Court.**Article.*

63. Date and extent of transfer.
64. Saving of Court's power to make Defence Regulations and Rules of Procedure.
65. The States Legislation Committee.
66. Functions of the Committee.
67. Approval of subordinate legislation by Committee and States in lieu of Royal Court.
68. New style of Ordinances.
69. Making of Orders under Defence Regulations.
70. Permanent and Provisional Ordinances existing at Chief Pleas after Christmas, 1948.
71. Power of Committee to repeal or vary Ordinances.

PART VII.

Miscellaneous and Repeals.

72. Number of votes restricted to number of vacancies.
73. Disqualification of Advocates for the office of Constable.

1948

Article.

- 74. Limitation of the application of the Secret Ballot Laws.
- 75. Saving of powers for existing States of Deliberation and Election.
- 76. Repeals.
- 77. Saving.

SCHEDULES.

- First Schedule. Allocation of Deputies between the Electoral Districts.
- Second Schedule. Repeals.

PART I.

The States of Deliberation

Constitution. *I.(1) On and after the 1st day of January, 1949, the States of Deliberation shall be composed as follows :—

- (a) The Bailiff.
- (b) Twelve Conseillers.
- (c) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (d) Thirty-three People's Deputies.
- (e) Ten Douzaine Representatives.

(2) The Bailiff shall be *ex-officio* President of the States of Deliberation and shall from time to time nominate in writing one or more Members to perform the duties of Acting President in his absence or during a vacancy of his office, and may at any time in writing revoke such nominations or any of them. The member who is at the time senior in order of appointment shall perform the duties of Acting President, unless such senior Member shall for any reason decline to act, whether generally or in relation to any particular matter in which case the Member next senior in order of appointment

* See also the States of Guernsey (Representation of Alderney) Law, 1949.

1948

shall act either generally or in the particular matter, as the case may be, and with the like power of declining to act, and so in turn until the Member junior in order of appointment shall have been reached, who shall be bound to act.

(3) In case of a vacancy in the office of Bailiff, the nominations of the former holder of that office shall remain in force under the conditions set out in the last preceding paragraph until such time as the next succeeding holder of that office shall have made his nominations, whereupon the former nominations shall cease to be valid.

(4) The Acting President shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the President.

(5) (a) The President, or the Acting President, as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote.

(b) The Members, other than the President or the Acting President, as the case may be, His Majesty's Procureur and His Majesty's Comptroller, shall each have one vote.

2. A People's Deputy on being elected to the office of Conseiller or Douzaine Representative and a Douzaine Representative on being elected to the office of Conseiller or of People's Deputy, shall vacate his office of People's Deputy or Douzaine Representative, as the case may be, but a Jurat or a Douzenier shall not be required to vacate his office on being elected as Conseiller or as People's Deputy nor shall a Conseiller or People's Deputy be required to vacate his office on being elected as Jurat or Douzenier.

Member
elected to
more than
one office.

3. (1) Subject to the provisions of paragraphs (2) and (3) of this Article the President or acting **Quorum.**

1948

President, as the case may be, and twenty Members shall form a Quorum of the States of Deliberation.

(2) When the number of voting Members present, not counting the President or Acting President, is thirty or less a resolution or amendment shall not be declared carried or lost unless at least twenty Members vote and the majority vote is at least twice as great as the minority vote.

(3) A resolution or an amendment in respect of which the vote has been ineffective by reason of the provisions of the last preceding paragraph, shall, so soon as possible, be brought before the States by the President on a subsequent day, whereupon, notwithstanding that there shall not then be present more than thirty voting Members and the President or Acting President, such resolution or amendment shall be declared carried or lost by a simple majority.

PART II.

The States of Election.

Constitution. 4. (1) During the period from the 1st day of October, 1948, to the 31st day of December, 1948, both dates inclusive, the States of Election shall be composed as follows:—

- (a) The Bailiff.
- (b) The twelve Jurats (Jurés-Justiciers).
- (c) The ten Rectors.
- (d) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (e) Thirty-four Douzaine Representatives.
- (f) The eighteen People's Deputies.

*(2) On and after the 1st day of January, 1949, the States of Election shall be composed as follows:—

- (a) The Bailiff.
- (b) The twelve Jurats (Jurés-Justiciers).

* See also the States of Guernsey (Representation of Alderney) Law, 1949.

- (c) Twelve Conseillers.
- (d) The ten Rectors.
- (e) (i) His Majesty's Procureur.
(ii) His Majesty's Comptroller.
- (f) Thirty-three People's Deputies.
- (g) Thirty-four Douzaine Representatives.

(3) The Bailiff shall be ex-officio President of the States of Election and his powers and duties as such in relation to the nomination of Acting Presidents, and the duration of the validity of such nominations shall be in all respects similar to his powers and duties in relation to such nominations in respect of the States of Deliberation as provided in paragraphs (2) and (3) of Article 1 of this Law.

(4) The Acting President shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the President.

(5) (a) The President, or the Acting President, as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote, which shall be exercisable by private intimation to the Scrutineers appointed by the assembly.

(b) The other Members may each vote in one capacity only.

5. (1) The functions of the States of Election shall be to elect persons to the offices of Jurat, Conseiller and His Majesty's Sheriff. **Functions of the States of Election.**

(2) Election to the offices of Jurat, Conseiller and His Majesty's Sheriff shall be conducted in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot, save that the following special provisions shall apply to an election for either of the offices of Jurat or His Majesty's Sheriff—

- (a) in case there shall not be more candidates than vacant offices, an election

1948

shall be held at which the votes shall be given openly and by word of mouth ; and

- (b) no candidate shall be declared elected unless he has polled more than one half of the total number of votes cast.

Quorum.

6. (1) A Quorum of the States of Election shall be the President or Acting President, as the case may be, and at least sixty other Members, save that for any meeting held after the 30th day of September, 1948, and before the 1st day of January, 1949, the President or Acting President and fifty other Members shall form a Quorum.

(2) In case at any meeting there shall not be a Quorum present, the President or Acting President, as the case may be, may convene a fresh meeting by publishing in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, a notice stating that at the meeting previously convened there was not a Quorum of Members present, and fixing a date for a fresh meeting, which meeting shall thereupon be lawfully convened for that date.

PART III.**GENERAL.***States of Deliberation and of Election.***Procedure.**

7. (1) The States of Deliberation may by Resolution decide the Rules of Procedure to be applicable from time to time in and in relation to assemblies of the States of Deliberation or of the States of Election, and may likewise at any time vary, revoke or suspend such Rules or any of them.

(2) Subject as aforesaid, the Rules of Procedure, not being inconsistent with any of the provisions of this Law, which are applicable in or in relation to either assembly on the 31st day of December,

1948

1948, whether by Law or Custom or by Resolution of the States of Deliberation, shall continue to be applicable thereafter.

(3) The States of Deliberation are hereby empowered, after the date last mentioned, to repeal by Resolution with effect on such date or dates as shall be provided therein the provisions as to procedure in or in relation to either assembly of any Law, other than this Law, in force on the 31st day of December, 1948.

8. Any person of full age shall be eligible to hold the office of Conseiller or of People's Deputy provided that—

Eligibility
as
Conseiller or
People's
Deputy.

- (a) he be a British Subject ;
- (b) he be not subject to any legal disability, as that expression is defined in Part IV of this Law ;
- (c) in the case of the office of Conseiller, he shall have had his ordinary place of residence in this Island for the twelve months immediately prior to the date of his nomination as a candidate for that office ;
- (d) in the case of the office of a People's Deputy, he shall have had his ordinary place of residence in this Island for the three years immediately prior to the date of his nomination as a candidate for that office :

PROVIDED that so much of Section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945, as provides what shall constitute fulfilment by a candidate at any election held in the calendar year 1948 of a People's Deputy or People's Deputies of such qualification with regard to residence in this Island as is required by the " Loi supplémentaire à la Loi relative à la

1948

Réforme des Etats de Délibération" registered on the Records of this Island on the 30th day of October, 1920, as subsequently amended, (hereinafter in this proviso referred to as "the Law of 1920") shall apply in the case of a candidate for the office of People's Deputy at the General Election to be held during the month of December, 1948, and at any election for that office as, under the provisions of Part IV of this Law, may be deemed to have been held on the date of that General Election as though in that Section for the reference to the Law of 1920 there were substituted a reference to this Law.

Nomination
of Jurat,
Conseiller or
His Majesty's
Sheriff.

9. (1) Every candidate for the office of Jurat, Conseiller or His Majesty's Sheriff shall be nominated in writing by a Member of the States of Election or by a Douzenier and such nomination shall be seconded in writing by another such Member or Douzenier. Such nomination, duly seconded, shall be submitted to the President of the States of Election not less than fifteen days before the date fixed for the election, and shall be accompanied by a certificate in writing, signed by the candidate, stating his willingness to serve in the office if elected and, in the case of a Conseiller, certifying that he is eligible under the provisions of this Law to hold that office.

(2) Nominations for the office of Conseiller shall be published by the President of the States of Election before the election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

Election of
Conseillers.

10. (1) Elections to the office of Conseiller shall be held triennially on such date in the month of November as the President may appoint. The first of such Elections shall be held in the month of November, 1948.

1948

(2) Conseillers shall hold office for a period of six years, save that, in the case of those elected at the first election to be held under the provisions of this Law, six of them shall hold office for a period of three years only, that is to say—

(a) if the number of candidates is greater than the number of seats vacant, the six elected Conseillers who receive the smallest number of votes shall retire from office on the 31st day of December, 1951. In case of an equality of votes between any of the Conseillers elected, so that it is impossible under the provisions of this sub-paragraph to determine their respective dates of retirement, the question shall be determined by lot in such manner as the President shall decide ;

(b) if the number of candidates is not greater than the number of seats vacant, the respective terms of office of the Conseillers declared elected shall be determined by lot in such manner as the President shall decide.

(3) If at any election to the office of Conseiller the number of candidates is not greater than the number of seats vacant, the President shall, after the time fixed for nomination has elapsed, declare the candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the " Gazette Officielle ".

(4) A Conseiller shall be eligible for re-election.

II. Notwithstanding that at an election for the office of Conseiller a Member of the States of Election is himself a candidate therefor, such Member shall be entitled to vote in that election.

Member
voting in
election at
which he is
a candidate.

1948

Casual
vacancies
for office of
Conseiller.

12. A casual vacancy in the office of Conseiller shall be filled, subject, in case there shall not be a greater number of candidates than there are vacancies, to the provisions of paragraph (3) of Article 10 of this Law, by election of the States of Election on such day as the President of the States of Election shall appoint, save that if such vacancy occurs in the year of a triennial election to that office and after the 1st day of June in that year but before such election, and the vacancy would fall to be filled at that election, it shall be in the discretion of the President, whether such vacancy shall or shall not be filled pending the triennial election.

Term of
office of a
person filling
a casual
vacancy
in the
office of
Conseiller.

13. A person elected to fill a casual vacancy in the office of Conseiller shall hold office until the date upon which the person in whose place he was elected would normally have retired, and shall then retire.

Election
of ten
Douzaine
Representa-
tives to the
States of
Deliberation.

14. (1) The Douzaine of each Parish shall in September, 1948, and in December of every subsequent year elect (by Secret Ballot if there be more than one candidate) one Douzaine Representative from that Douzaine, who shall sit as a Member of the States of Deliberation throughout the following calendar year.

(2) Every such Douzaine Representative shall be eligible for re-election.

(3) The Constables of each Parish shall forthwith inform the President of the States in writing of the result of each such election in their Parish.

Douzaine
Representa-
tives in the
States of
Election.

15. (1) The Douzaine Representatives in the States of Election on and after the 1st day of October, 1948, shall consist of the ten Douzaine Representatives elected to the States of Deliberation as in Article 14 of this Law provided, and twenty-

1948

four additional Douzaine Representatives elected for each meeting of the States of Election by their respective Douzaines, as follows:—

From the Parish of Saint Peter Port, twelve Douzeniers ;

From the Parish of Saint Sampson, three Douzeniers ;

From the Parish of the Vale, four Douzeniers ;

From the Parish of the Castel, two Douzeniers ;

From the Parish of Saint Martin, three Douzeniers.

(2) The ten Douzaine Representatives shall sit as Members of the States of Election, as regards those elected in September, 1948, for the period commencing on the 1st day of October, 1948, and ending on the 31st day of December, 1949, and as regards those subsequently elected, for the calendar year beginning on the 1st day of January following their election.

(3) On the issue of a Billet d'Etat convening a meeting of the States of Election, the Constables of each Parish in which it shall be requisite so to do for the purposes of this Article shall cause the Douzaine of that Parish to elect Douzaine Representatives, in accordance with the provisions of paragraph (1) thereof, and shall deliver a certificate to His Majesty's Greffier in writing under their hands not later than three o'clock in the afternoon of the working day next preceding the date of the meeting of the States of Election, as to the Douzaine Representatives so elected.

16. It shall be the duty of a Douzaine Representative to voice in the States of Deliberation the views of the Douzaine which he represents, but he shall not be bound, either in the States of Deliberation or in the States of Election, to vote in accordance with any direction or instruction given him by that Douzaine, and he shall be free on all occasions to cast his vote in accordance with his conscience.

Duty of a
Douzaine
Representa-
tive.

1948
 Resignation
 of
 Conseiller,
 People's
 Deputy or
 Douzaine
 Representa-
 tive.

17. (1) A Conseiller, People's Deputy or Douzaine Representative may at any time resign his office, provided that—

- (a) he shall inform the President of the States in writing under his hand of his desire so to do ; and
- (b) his resignation shall not take effect until it has been accepted by the States of Deliberation.

(2) If it shall appear to the Royal Court on petition brought by the Law Officers of the Crown or either of them that a Conseiller or a People's Deputy—

- (a) did not at the time of his election possess the qualifications required by the provisions of Article 8 of this Law, or has, subsequently to such election, ceased to possess either of the first two qualifications required by that Article ; or
- (b) has not, whether by reason of illness, absence or otherwise, for twelve consecutive months, fulfilled the duties of his office ;

the Court shall so declare, and thereupon the office of such Conseiller or People's Deputy shall be vacated.

(3) A copy of any such petition shall be served by His Majesty's Sergeant at the residence in this Island of such Conseiller or People's Deputy, with a written notice stating the date of the hearing, unless such Conseiller or People's Deputy is under a legal disability or has no residence in this Island, in either of which cases the Law Officers of the Crown or either of them shall, in lieu of causing such service to be effected, cause to be inserted in the " Gazette Officielle " appearing in the week preceding the date of the hearing a notice stating that the petition will

be brought, the date of the hearing thereof and the reasons for its being brought.

1948

* 18. Save as may hereafter be specifically provided by Resolution of the States, in all cases in which the President or any Member of any Committee (however described) of the States is required by enactment or by resolution of the States to be a Member of the States, Jurats, Rectors and Douzeniers who at the commencement of this Law are serving on any such Committee may continue in office on that committee and may be re-elected thereto, and Jurats, Rectors or Douzeniers may be elected to any such committee notwithstanding that they are not Members of the States.

Membership
of States
Committees.

19. Every Member of the States of Deliberation shall before entering office take before the Royal Court an oath of office in the form appropriate to such office, and the oath of allegiance.

Oath of
Office and
Allegiance.

20. The acts and proceedings of any person elected to the States of Deliberation or of Election and having acted as a Member thereof shall, notwithstanding his disqualification or want of qualification, be deemed to have been as valid and effectual as if he had been qualified to be a Member thereof.

Validity of
acts done by
unqualified
persons.

21. Within a period of not more than ten years from the 1st day of January, 1949, the States of Deliberation shall determine whether it is possible to provide that a person holding the office of Jurat shall not be a member of the States of Deliberation without unduly depriving the States or the Royal Court of the services of experienced persons.

Review in
ten years.

22. (1) His Majesty's Greffier shall be Clerk and Registrar to the States of Deliberation and of Election and shall when so directed by the States of

Duties
of H.M.
Greffier,
H.M. Sheriff,
and H.M.
Sergeant.

* See also the States Committees (Special Provisions)
(Guernsey) Law, 1950.

1948

Deliberation act in the like capacity to any Committee of that assembly.

(2) His Majesty's Sheriff and His Majesty's Sergeant shall be officers of the States of Deliberation and of Election and shall obey the directions of the President of either assembly in the fulfilment of any ministerial functions required to be exercised by them for or on behalf of either assembly.

Abolition of Cantonal Douzaines.

23. On and after the 30th day of September, 1948, the members of the four Cantonal Douzaines of the Parish of Saint Peter Port shall cease to be eligible as Members of the States of Election, and on and after the 31st day of December, 1948, those Douzaines shall cease to exist.

Interpretation.

24. In Parts I and II and in this Part of this Law the expressions "Douzenier" and "Douzaine Representative" shall include a Constable of a Parish.

PART IV.

Election of People's Deputies.

Compilation of Electoral Roll by Registrar-General.

25. (1) The Electoral Roll of this Island shall be compiled by the Registrar-General from the National Register.

(2) There shall be shown on the Electoral Roll in respect of every voter his surname, first Christian name and full postal address, as the same appear in the National Register.

Division of the Electoral Roll, and definition of the Electoral Districts.

26. (1) The Electoral Roll shall be divided into ten sections, whereof each shall represent one of the Electoral Districts.

(2) Each Parish shall constitute an Electoral District (hereinafter referred to as "a District").

(3) In each of the Districts, polling stations shall be established by the Constables of the Parishes concerned in accordance with any Resolution of the States for the time being in force in that behalf and the Constables of a Parish may provide for the

1948

establishment of such additional polling stations therein as they may deem convenient to the electorate.

27. (1) Any person of full age shall have the right to be inscribed on the Electoral Roll compiled in any calendar year provided that such person—

Persons
entitled to
vote.

- (a) be a British subject ;
- (b) shall have had his ordinary place of residence in this Island since the 1st day of January in that calendar year ; and
- (c) be not subject to any legal disability.

(2) Any person whose name is inscribed on the section of the Electoral Roll for a District may vote at any polling station in that District and, on attending to record his vote, shall, in any District where there is more than one polling station, present his National Registration Identity Card to the person in charge of that polling station, who shall mark that Card with such stamp as shall have been furnished to him by the Registrar-General with the approval of the States Board of Administration for that purpose.

28. (1) A person shall not vote at any election unless his name is inscribed on the Electoral Roll and a person shall vote only in the District in respect of which his name appears on the Electoral Roll, and having once voted at any election he shall not thereafter vote or attempt or purport to vote in respect thereof but no such subsequent vote or attempted or purported vote shall invalidate the election in respect of which the same was or was attempted or purported to be given.

Persons not
to vote
unless
inscribed
on the
Electoral
Roll.
Penalties
for plural
voting.

(2) Any person who fraudulently puts or attempts to put or causes to be put into any ballot box any paper other than the ballot paper which he is authorised to put therein shall be guilty of an offence and liable on conviction, in the case of a

1948

Constable, Douzenier, Returning Officer or Scrutineer, to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, and in the case of any other person, to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months.

Holding of Elections.

29. (1) General Elections for the office of People's Deputy shall be held in 1948 during the month of December and thereafter triennially during the month of December, save that if at any General Election there shall be no candidate or an insufficient number of candidates for any District, an election to fill any vacancy not filled at that General Election shall be held in respect of that District at such time, not being more than three months after the date of that General Election, as shall be appointed by Ordinance, and any candidate elected thereat shall retire from office on the date on which he would have so retired had he been elected at the General Election.

(2) On the death or retirement of a Deputy at any time within two years and seven months of the date of the preceding General Election, an election shall be held to fill the office so vacated for the remainder of the three-year term then current. Should a vacancy so occur within the last five months of such term it shall be in the discretion of the President of the States whether or not an election shall be held to fill the vacated office until the date of the next General Election.

(3) The date for the holding of any election shall be appointed by Ordinance.

Elections to be determined by Secret Ballot Law.

30. Elections shall be held in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot.

Procedure in case of an equality of votes.

31. Where at an election two or more candidates secure an equal number of votes and the addition of one vote to his poll would have entitled any such can-

didate to be declared elected, a further election shall be held, as soon as conveniently may be, in respect of such candidates only, which further election shall for the purposes of the term of office of any successful candidate be deemed to have been held on the date of the original election.

1948

32. (1) Every nomination of a candidate for office as a People's Deputy shall be in writing signed by two persons whose names are inscribed on the section of the Electoral Roll representing the District for which the candidate intends to stand, and shall be delivered to the President of the States not less than fifteen days before the date fixed for the holding of the election. **Nominations.**

(2) Every such nomination shall be accompanied by a declaration in writing signed by the candidate declaring that he is eligible under the provisions of this Law to hold the office of People's Deputy.

(3) A person may not stand as a candidate for more than one District at the same election.

33. At any election where the number of candidates is not greater than the number of seats vacant for that District, the President of the States shall, after the time fixed for the delivery of nominations has elapsed, declare such candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle". **Number of candidates not exceeding number of seats vacant.**

34. (1) The Registrar-General shall, by the 10th day of October in each calendar year, compile an Electoral Roll containing the names of all persons entitled on the 1st day of September in that year to have their names inscribed thereon. **Compilation, publication and correction of Electoral Roll.**

(2) Each section of the Electoral Roll shall contain the names and addresses of the persons

1948

shown in the National Register as residing in the District to which that section relates on the 1st day of September then last past, being persons entitled to have their names inscribed on the Electoral Roll.

* (3) From the 11th day of October to the 17th day of October, both dates inclusive, in each year, the section of the Electoral Roll in respect of each District shall be published for inspection at such suitable place in that District, during such five hours on each working day other than Thursday, and during such three hours on Thursday, as shall be prescribed by the Registrar-General after consultation with the Constables of the Parish constituting that District.

(4) The Registrar-General shall give previous notice by an announcement in the "Gazette Officielle" of the dates, times and places on, during and at which the Electoral Roll will be available for inspection as in this Article provided.

(5) Any person claiming in any calendar year that, on the 1st day of September of that year, he was entitled to have his name inscribed on any section of the Electoral Roll and that it is omitted from that section or that some material error in his name or address appears in that section may, not later than the third working day after the close of the period during which the Electoral Roll is available for inspection, deliver to the Registrar-General an application in writing to have his name and address inscribed on that section or for the rectification of the error alleged. The Registrar-General shall, if he be satisfied of the existence of an omission or error, forthwith amend the Electoral Roll.

(6) The section of the Electoral Roll, compiled, published and amended in any calendar year

* New paragraph substituted by the Reform (Guernsey) Amendment Law, 1950.

1948

as is in this Article provided, representing each District shall constitute the Electoral Roll of that District during the period beginning on the 1st day of December in that calendar year and ending on the 30th day of November in the succeeding calendar year, and shall determine whether or not a person is entitled to vote in that District during that period at an election for any of the offices of People's Deputy, Constable or Douzenier, and at any election a copy of the appropriate section shall be furnished free of charge by the Registrar-General to the Returning Officer of each District for each polling station in that District, and the Returning Officer shall ensure that a copy is available at each polling station in his District.

35. A copy of the Electoral Roll shall be kept at the Greffe and at the States Office, and shall be available during their respective normal office hours for inspection by the public.

Copies of Electoral Roll to be kept at Greffe and States Office.

36. At any election each candidate shall be entitled during the three weeks immediately prior to the date fixed therefor to procure from the Greffe not more than five copies of the section of the Electoral Roll concerning the District for which he is a candidate on payment to the Greffe of the sum of two shillings and sixpence for each such copy.

Candidates permitted to procure copies of relevant section of Electoral Roll.

37. At every election the Royal Court, on the application of one of the Law Officers of the Crown, shall appoint a Returning Officer for each District concerned, who shall appoint such Scrutineers to assist him in the counting of votes and otherwise as he may deem necessary. Every Returning Officer shall on his appointment be sworn as such before the Royal Court.

Returning Officers.

38. The Constables and Douzaines shall supervise the conduct of the ballot at the polling stations in their respective Parishes, and in particular shall seal the ballot boxes on the conclusion of the voting,

Supervision of Ballot.

1948

and shall hand the same to the Returning Officer for the District, who shall thereupon cause the votes cast to be counted and shall forthwith communicate the result of such count to the President of the States and to every other Returning Officer. In each District in which an election has been held the Returning Officer shall cause the said result and the result of the voting in respect of every other District in which an election has then been held to be exhibited at each polling station in the District.

Hours of Polling.

39. At every election the poll shall open at ten o'clock in the morning in the Parish of Saint Peter Port and at mid-day in the other Parishes and be kept open until eight o'clock in the evening of the same day and no longer.

Duties on completion of Ballot.

40. On completion of the count as aforesaid each Returning Officer shall in respect of his District return the voting slips to the ballot boxes, re-seal the said boxes, keep them in safe custody and deliver them to His Majesty's Greffier on the following day, together with the keys thereof, the counterfoils of the voting slips, any unused voting slips and the lists of voters.

Recount.

41. If the total of the votes cast for any successful candidate does not exceed by more than two per centum of the total number of persons voting in the District concerned the total of the votes cast for any unsuccessful candidate, such unsuccessful candidate may, by notice in writing delivered to the President of the States not later than twenty-four hours after the public declaration of the poll by the Returning Officer, demand a recount, and such recount shall be carried out in the Royal Court building as soon as practicable thereafter by independent scrutineers appointed by the President of the States. The candidate demanding the recount and any other candidate at that election for that District may be

1948

present during the recount, and such recount shall be final and conclusive as to the result of the poll in respect of that District. On completion of the recount, the scrutineers shall report the result of the same to the President of the States, who shall publish such result by causing a notice to be posted in the vestibule of the Royal Court.

42. Particulars of all persons of full age resident in the Island of Guernsey placed under or relieved from guardianship, or detained in any public institution or otherwise by reason of mental incapacity or released from such detention shall be furnished by His Majesty's Greffier or the States Board of Health, as the case may be, to the Registrar-General, who shall cause to be kept a register of persons so under guardianship or detained.

Register to be kept of persons under disability.

43. Persons entitled to vote attending at any polling station who are physically incapable of recording their vote or who declare that they are unable to read may apply to the person in charge of that polling station who shall thereupon cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper placed in the ballot box, and shall make a record in writing of his having done so, which record shall include the name and address of the incapacitated person and the cause of his incapacity, and shall be delivered to the Returning Officer.

Persons physically incapable of recording vote.

44. (1) Save as hereinafter provided no candidate in any election shall in respect of such election expend any sum of money or give any value in money's worth otherwise than in accordance with such provisions as shall, from time to time, be prescribed by Ordinance :

Expenditure by candidates.

Save that nothing contained in this Article or in any Ordinance made hereunder, shall be deemed to affect the right of any candidate to purchase copies of the appropriate section of the

1948

Electoral Roll in accordance with Article 36 of this Law, and any moneys expended in such purchase may be expended in addition to the maximum permissible amounts so prescribed.

(2) Any candidate who contravenes, whether by himself or by his servant or agent, any of the provisions of this Article or of any Ordinance made thereunder, shall be guilty of an offence and shall be liable on conviction before the Royal Court to a fine not exceeding one hundred pounds and in addition to such fine shall, if a successful candidate, forfeit his seat :

PROVIDED ALWAYS that if it is shown to the satisfaction of the Court that such contravention arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, the Royal Court may make an order relieving the candidate from the consequences of such contravention.

Return of
expenditure
by
candidates.

45. (1) Every candidate at any election shall during the seven days next following the date of such election submit to the Returning Officer a return showing full particulars of all moneys or money's worth expended or given by him in respect of such election, and shall submit therewith vouchers supporting such disbursements and a declaration in writing signed by him that the particulars shown in such return are to the best of his knowledge and belief correct.

(2) Any candidate who supplies any particulars which he knows or ought to have known to be false, or otherwise contravenes the requirements of paragraph (1) of this Article shall be guilty of an offence and, subject to the like proviso as is made to paragraph (2) of the last preceding Article, shall be liable on conviction to the same penalties as are in that paragraph specified.

46. (1) Every person appointed to be in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

1948
Obligation
of secrecy.

(2) Every person who acts in contravention of the last preceding paragraph shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding six months.

47. (1) Subject to the provisions of paragraph (2) of this Article, the Electoral Districts set out in the first column of the First Schedule to this Law shall return the number of Deputies shown in relation thereto respectively in the second column of that Schedule.

List of
Electoral
Districts
and
allocation of
Deputies.

(2) The States of Deliberation may at any time by resolution vary, in accordance with the numbers of the respective populations of the Districts concerned, the allocation of the numbers of People's Deputies as between the said Districts so, however, that no District shall be wholly unrepresented.

48. The Islands of Herm and Jethou shall be deemed for all the purposes of this Law to be part of the Parish of Saint Peter Port.

Herm and
Jethou
deemed
part of
St. Peter Port.

49. In this Part of this Law unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them :—

Interpreta-
tion.

“ Legal disability ” means certification as a person of unsound mind ; subjection, in the case of a person of full age, to guardianship ; being an inmate for reasons of mental illness of any hospital or other institution ; or undergoing imprisonment for felony.

“ Election ” means election to the office of People's Deputy.

1948

“ Registrar-General ” means the Registrar-General of Electors, and the functions of that office shall be performed by the States Supervisor.

PART V. •

Election of Constables and Douzeniers.

Application of Law to election of Constables and Douzeniers.

50. Notwithstanding any enactment or rule to the contrary, after the 30th day of November, 1948, every election to the office of Constable or Douzenier shall be governed by the provisions of this Part of this Law, but nothing therein contained shall affect the completion of the term of office of any Constable or Douzenier elected on or before the last mentioned date.

Eligibility for Office.

51. Only those persons eligible for the office of People's Deputy shall be eligible for the office of Constable or Douzenier, save that any such person shall, in order to be so eligible, be ordinarily resident in the Parish concerned at the date of his nomination and, if elected, shall hold office for so long only as he continues to reside therein.

Persons entitled to vote.

52. Only those persons whose names are inscribed on the section of the Electoral Roll relating to the Parish concerned shall be entitled to vote at an election.

Application of Part IV of this Law.

53. The provisions of Part IV of this Law shall, subject to the modifications in this Part of this Law contained, apply, so far as the same are applicable, to elections to the offices of Constable and Douzenier.

Responsibility for conduct of Elections.

54. (1) In every Parish the Dean or, in his absence, the Vice-Dean, of the Douzaine shall be responsible for fixing the place of the electors' meeting in respect of any election for the office of Constable and the date and time on and at which such election shall be held, and shall be responsible for the conduct of such election, and the senior Constable or, in his

1948

absence, the junior Constable, shall have the like responsibilities in respect of any election for the office of Douzenier.

(2) The person so responsible as aforesaid shall be the Returning Officer for the election and shall preside at any meeting of electors.

(3) The Returning Officer may appoint such persons as he may deem necessary to assist him in the execution of his duties.

55. Notice of an election shall be given by the person responsible for the conduct thereof, not less than fourteen days in advance of the date fixed therefor, by an announcement in the "Gazette Officielle", of the date, time and place of the electors' meeting, which announcement shall also invite the submission of nominations, and a further announcement showing that date, time and place and containing particulars of the nominations received, shall be made by publication in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, on each of the three days immediately preceding the election.

Notice of
Elections.

56. The Registrar-General shall supply to the Returning Officer for each election a copy of the section of the Electoral Roll relating to the Parish concerned.

Duty of
Registrar-
General to
supply Roll.

57. Every nomination of a candidate for the office of Constable or Douzenier shall be in writing, signed by two persons whose names are inscribed on the section of the Electoral Roll representing the Parish concerned, and such nominations shall be delivered to the Returning Officer at least seven clear days before the date fixed for the election, and, in the case of an election for the office of Douzenier, shall be accompanied by a declaration in writing signed by the candidate and signifying his consent to be a candidate for that office.

Nominations.

1948
 Number of
 candidates
 not exceeding
 vacancies.

58. At any election where the number of candidates is not greater than the number of offices vacant, the Returning Officer shall, at the electors' meeting, declare such candidate or candidates elected.

Contested
 Election.

59. At any election where the number of candidates is greater than the number of offices vacant the following procedure shall be adopted :—

(1) The Returning Officer shall, at the electors' meeting, read to the meeting the names of the candidates and of the persons who have signed the respective nominations, in the order in which those nominations shall have been received by him, and shall ask the meeting to vote on the question whether or not they desire a secret ballot to be held. A secret ballot shall be held if not less than seven electors present demand it. The Returning Officer shall explain that a secret ballot may be demanded by not less than seven electors and that, if such a ballot be held, the formalities of a ballot for an election to the office of People's Deputy will, so far as the same are applicable, be observed in the holding thereof.

(2) If a secret ballot be not demanded—

(a) the Returning Officer shall cause a voting paper to be delivered to, and only to, every elector present, who shall record his vote by writing thereon the name of the candidate (or the names of the candidates if there be more than one vacancy to be filled) for whom he wishes to vote ;

(b) the Returning Officer shall then cause the voting papers to be collected and the votes counted, and shall declare the result of the election to the meeting;

1948

- (c) the provisions of Part IV of this Law shall be applied as nearly as possible to a case of an equality of votes and to the right to demand a re-count ;
- (d) the Returning Officer shall be responsible for the safe custody of the voting papers after the same have been collected, and he shall destroy them after, but not before, the successful candidate has taken the oath of office.
- (3) If a secret ballot be demanded, a record of that fact shall be made by the Returning Officer, who shall thereupon declare the meeting closed. He shall then fix a date, not being less than eight days nor more than fifteen days after the date of the meeting, for the holding of an election at a place selected by the Douzaine and shall give notice of such date and place by means of an announcement in the "Gazette Officielle", and shall be responsible for the supply of ballot papers at the polling station. The ensuing election shall be held in the manner prescribed for elections for the office of People's Deputy.
- (4) The Returning Officer shall be responsible for the safe custody of the ballot papers, and shall destroy the same after, but not before, the successful candidate shall have taken the oath of office.

60. One polling station only shall be set up in any Parish. Polling stations.

61. After any election every successful candidate shall take an oath of office before the Royal Court at the instance of the Law Officers of the Crown or either of them, and after the taking of such oath the validity of the election shall not be further subject to question. Oath of office.

1948
 Interpretation.

62. In this Part of this Law the following expressions shall, unless the context otherwise requires, have the meanings hereby respectively assigned to them :—

“ Election ” shall mean an election to the office of Constable or Douzenier ;

“ Registrar-General ” shall have the same meaning as in Part IV of this Law.

PART VI.

Transfer to the States of Deliberation of Functions of a legislative nature hitherto exercised by the Royal Court.

Date and extent of transfer.

63. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, subject to the provisions of this Part of this Law, the powers and functions of a legislative nature theretofore exercised by the Royal Court whether sitting as a Court of Chief Pleas or otherwise shall cease to be exercised by the Royal Court and those powers and functions shall thenceforth vest in and be exercised by the States of Deliberation (hereinafter in this Part of this Law referred to as “ the States ”) or by the States Legislation Committee in accordance with the provisions of this Part of this Law and every enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall thenceforth be construed as having conferred the like power on the States of Deliberation or on the States Legislation Committee, as may be appropriate under the provisions aforesaid, in the place and stead of the Royal Court and where under any enactment, whether commencing before or after the said date, power is conferred on the States to make any Ordinance, that enactment shall be construed as conferring power on the States Legislation Committee, within the limits of that Committee’s authority as defined in this Part of this Law, to make that Ordinance.

64. (1) Notwithstanding the provisions of the last preceding Article, powers and functions of a legislative nature as regards the following matters, namely:—

- (a) The making, variation, modification, revocation or continuation of Defence Regulations in force or to be in force within the Bailiwick of Guernsey or some part thereof; and
- (b) The making, variation, modification and revocation of Rules of Procedure in the Royal Court and any Division thereof and in any Court subordinate thereto;

1948

Saving of Court's power to make Defence Regulations and Rules of Procedure.

shall continue as hitherto to vest in and be exercisable by the Royal Court.

(2) The Royal Court shall exercise such powers and functions by way of Orders to be styled "Orders of the Royal Court" and no such Order shall lapse, unless expressed so to do, by mere effluxion of time.

65.*(1) There shall be set up by the States, as soon as may be after the 1st day of January, 1949, a States Standing Committee to be styled "The States Legislation Committee" (hereinafter in this Part of this Law referred to as "the Committee") consisting of the Bailiff, as President, and of seven other Members of the States elected by the States. The Committee shall elect a Vice-President from among its members who shall preside in the absence of the Bailiff or during a vacancy in the office of Bailiff.

The States Legislation Committee.

* (2) The quorum of the Committee shall consist of the President or, in his absence, the Vice-President, and three other members.

(3) The President or the Vice-President, if presiding, shall have no original vote at the proceedings of the Committee but shall have a casting vote in case of an equal division of votes between the members present.

* Amended by the Reform (Guernsey) Amendment Law, 1950.

1948

(4) The members of the Committee, other than the Bailiff, shall retire at such times and in such manner as the States may by Resolution appoint, but shall be eligible for re-election.

(5) The States may by election fill any casual vacancy, and the person so elected shall hold office until the date upon which the person in whose place he was elected would normally have retired, and shall then retire, but shall be eligible for re-election.

Functions
of the
Committee.

66. The functions of the Committee shall be as follows:—

- (1) To review and revise every *Projet de Loi* presented to the Committee by a Law Officer of the Crown for the purpose of ensuring that the same is in accordance with and will effectually carry into effect any Resolution of the States designed to be implemented thereby and to transmit the same to the States for the consideration and for the decision (subject to the Sanction of His Most Excellent Majesty in Council) of the States.
- (2) To review and revise every draft Ordinance presented to the Committee by a Law Officer of the Crown at the instance of the States or of some Authority, Board, Committee or Council of the States and, subject to the provisions of the next succeeding paragraph, to transmit the same to the States for the consideration and decision of the States.
- (3) Where, in the case of any draft Ordinance so presented, the Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest, the Committee shall have power to order that the same shall be operative either immediately or upon such then future date as the Committee shall prescribe and thereupon the Ordinance shall have effect accordingly:

PROVIDED that every Ordinance coming into effect by virtue of this paragraph shall be laid before the States as soon as may be after the making thereof in such manner as the States may, by general resolution, from time to time direct and if, at the Meeting of the States in the course of which any Ordinance made by the Committee is laid before them or at the next subsequent Meeting, the States resolve that the Ordinance be annulled, the Ordinance shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Committee of any new Ordinance.

1948

- (4) For the purpose of removing doubts, it is hereby declared that on an Ordinance ceasing to have effect by virtue of a Resolution of the States under the proviso to paragraph (3) of this Article, any other Ordinance which was modified or extended or repealed in whole or in part by the first-mentioned Ordinance shall thenceforth have effect, notwithstanding such modification, extension or repeal, as though such modification, extension or repeal had not been effected.

67. Where in any enactment it is provided that rules, regulations or other subordinate legislation, however described, prepared by any Authority, Board, Committee or Council of the States shall only come into operation after having received the approval of the Royal Court, that enactment shall, instead, be deemed to provide that on and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, any such rules, regulations or other subordinate legislation as shall not have been approved by the Royal Court before that day shall only come into operation after having been reviewed by the Committee and after having received the approval of the States. Such approval shall be given by way of Ordinance.

Approval of subordinate legislation by Committee and States in lieu of Royal Court.

1948
 New style of
 Ordinances.

68. Ordinances made by the States or by the Committee shall be styled " Ordinances of the States " and no such Ordinance, unless its period of operation be limited by express words or by operation of law, shall lapse merely by effluxion of time.

Making of
 Orders under
 Defence
 Regulations.

69. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, the Royal Court shall cease to be a Competent Authority under any Defence Regulation and the powers and functions theretofore vesting in the Royal Court as a Competent Authority under that Defence Regulation shall thenceforth for so long as that Defence Regulation continues in force vest in and be exercised by the Committee as a Competent Authority thereunder but without prejudice to anything previously done thereunder.

Permanent
 and
 Provisional
 Ordinances
 existing at
 Chief Pleas
 after
 Christmas,
 1948.

70. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, Ordinances of the Royal Court—

- (1) which, after receiving the approval of the States, have before that day been made Permanent Ordinances by the Royal Court and are still in force, shall, until repealed, continue in force ;
- (2) which by virtue of the provisions of any Order in Council are Permanent Ordinances and are still in force, shall, until repealed, continue in force ;
- (3) made before that day which are Provisional Ordinances and are still in force, shall, unless previously repealed, continue in force as Provisional Ordinances until the 1st day of January, 1950, and shall thenceforth become Permanent Ordinances of the States :

PROVIDED that the Committee shall review all such Provisional Ordinances as are referred to in paragraph (3) of this Article and shall report to the States thereon and if, at

any time during the calendar year 1949, the States resolve that any such Provisional Ordinance shall be annulled, the same shall cease to have effect as though it had been repealed but without prejudice to anything previously done thereunder.

1948

71. The Committee, within the limits of the latter's authority and subject to the provisions of paragraph (4) of Article 66 of this Law, and the States shall have power, from time to time, to repeal, suspend, vary or modify any Ordinance made by the Royal Court (except in relation to any of the matters referred to in paragraph (1) of Article 64 of this Law) or by the States or by the Committee.

Power of Committee to repeal or vary Ordinances.

PART VII.

Miscellaneous and Repeals.

72. No person shall vote or purport to vote at any election for a greater number of candidates than there are seats vacant, and any vote cast or purported to be cast in contravention of this Article shall be void.

Number of votes restricted to number of vacancies.

73. An Advocate of the Royal Court may not hold the office of Constable of a Parish.

Disqualification of Advocates for the office of Constable.

74. Where any provision of any law relating to Secret Ballot (Scrutin Secret) conflicts with any of the provisions of this Law, then, unless that law specifically provides to the contrary, the provisions of this Law shall prevail.

Limitation of the application of the Secret Ballot Laws.

75. Notwithstanding anything in this Law contained, the powers and duties of the States of Deliberation and of Election respectively shall be exercised and performed, in the case of the States of Deliberation, until the 31st day of December, 1948, and, in the case of the States of Election, until the 30th day of September, 1948, by the States of Deliberation and of Election respectively, as the same were respectively constituted

Saving of powers for existing States of Deliberation and Election.

1948

immediately prior to the date of the registration of this Law on the Records of this Island.

Repeals.

76. The enactments set out in the first column of the Second Schedule to this Law shall be repealed to the extent and on the dates indicated in the second and third columns respectively of that Schedule.

Saving.

77. The repeal of Section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945, shall not affect the continuance of the qualification for office in respect of residence of any People's Deputy elected or deemed to have been elected at the General Election to be held during the month of December, 1948.

FIRST SCHEDULE. Article 47 (1)

*ALLOCATION OF DEPUTIES BETWEEN THE
ELECTORAL DISTRICTS.*

<i>Electoral District.</i>	<i>Number of Deputies.</i>
Parish of Saint Peter Port	13
Parish of Saint Sampson	4
Parish of the Vale	5
Parish of the Castel	3
Parish of Saint Saviour	1
Parish of Saint Peter-in-the-Wood	1
Parish of Torteval	1
Parish of the Forest	1
Parish of Saint Martin	3
Parish of Saint Andrew	1

1948

SECOND SCHEDULE.

Article 76.

REPEALS.

<i>Law.</i>	<i>Extent of Repeal.</i>	<i>Date of Repeal.</i>
Réforme des Etats, registered on the Records on 27th December, 1844.	Articles 1, 2, 3, 4 and 5.	On date of registration of this Law.
	Articles 6, 7 and 14.	So far as the same concern the States of Election, on the 30th September, 1948, and, so far as they concern the States of Deliberation, on the 31st December, 1948.
	Articles 8, 9, 10, 11 and 12.	On the 31st December, 1948.
	Articles 15 and 16.	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.
	Article 17.	On the 30th September, 1948.
De l'Eligibilité des Douzeniers de Canton à la Charge de Douzenier de Paroisse, registered on the Records on 2nd August, 1851.	Article 5.	On date of registration of this Law.
Articles Supplémentaires à la Loi de 1844 qui Règle la Constitution des Etats, registered on the Records on 25th June, 1853.	Article 1.	So far as the same concerns the States of Election, on the 30th September, 1948, and, so far as it concerns the States of Deliberation, on the 31st December, 1948.
	Articles 2, 3, 4 and 5.	On date of registration of this Law.
Constitution des Etats. Articles Supplémentaires à la Loi de 1844, registered on the Records on 6th August, 1864.	The Whole Law.	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.

1948	<i>Law.</i>	<i>Extent of Repeal.</i>	<i>Date of Repeal.</i>
	Loi relative à la Réforme des Etats de Délibération, registered on the Records on 26th August, 1899.	Articles II, VIII, IX and X.	On the 31st December, 1948.
	Loi relative à la Douzaine de la Ville et Paroisse de Saint Pierre Port, registered on the Records on 13th October, 1900.	The Whole Law.	On date of registration of this Law.
	Loi relative aux Etats d'Election, registered on the Records on 29th June, 1901.	The Whole Law.	On the 30th September, 1948.
	Loi Supplémentaire à la Loi réglant la Constitution des Etats (1844), registered on the Records on 8th June, 1915.	The Whole Law.	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint.
	Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, registered on the Records on 30th October, 1920.	Articles I and V. Articles VIII, X, XI, XIII and XVI. Articles XIV, XV, XVII and XVIII.	On the 31st December, 1948. On the 30th September, 1948. On date of registration of this Law.
	Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1923.	The Whole Law.	On the 30th September, 1948.
	Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1938.	The Whole Law.	On the 31st December, 1948.
	Loi Supplémentaire relative à la Réforme des Etats (No. 2), 1938.	The Whole Law.	On the 30th September, 1948.
	Loi relative à la Réforme des Etats, 1939.	The Whole Law.	On the 30th September, 1948.

<i>Law.</i>	<i>Extent of Repeal.</i>	<u>1948</u> <i>Date of Repeal.</i>
Loi provisoire supplémentaire à la Loi relative à la Réforme des Etats (No. 2, 1940).	Articles 1, 2 and 4. Article 3.	On the 31st December, 1948. On date of registration of this Law.
Loi relative à la Réforme des Etats (1940).	The Whole Law.	On date of registration of this Law.
Loi Supplémentaire à la Loi relative à la Réforme des Etats de Délibération, 1941.	The Whole Law.	On date of registration of this Law.
The States (Election of People's Deputies) (Special Provisions) Law, 1945.	The Whole Law except Section 3 thereof.	On the 30th Septem- ber, 1948.
	Section 3.	On the 31st March, 1949.

(Registered on the Records on the 28th August, 1948.)

1948

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.
LORD PRESIDENT.
VISCOUNT HALL.
MR. CHANCELLOR OF THE EXCHEQUER.
MR. KEY.

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 July, 1948, in the words following, viz :—

The Tourist
Law, 1948.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

1948

' 1. That, in pursuance of their Resolutions of the 15th day of November, 1946, the 22nd day of October, 1947, and the 4th day of February, 1948, the States of Deliberation at a meeting held on the 4th day of June, 1948, approved a Bill or "Projet de Loi" entitled "The Tourist Law, 1948" and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : 2. 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 might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Tourist Law, 1948", and to order and direct that the same shall have force of Law in the Islands of Guernsey, Herm and Jethou.'

"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 Islands of Guernsey, Herm and Jethou.

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.

1948

AND the Lieutenant Governor and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

THE TOURIST LAW, 1948.

THE STATES, in pursuance of their resolutions of the 15th day of November, 1946, the 22nd day of October, 1947, and the 4th day of February, 1948, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou :—

1. (a) There shall be constituted a Committee to be known as the States Tourist Committee (hereinafter in this law referred to as "the Committee").

States
Tourist
Committee.

(b) The constitution of the Committee shall be such as the States may from time to time resolve.

(c) Until the States resolve otherwise, the Committee shall be that set up by Resolution of the States of the 15th day of November, 1946.

2. It shall be the duty of the Committee—

Duties of
the
Committee.

(a) to develop and advertise the amenities and attractions of the Islands both with the object of encouraging visitors to the Islands and in the interests of such visitors and of the inhabitants of the Islands as a whole ;

1948

- (b) to control the provision to visitors to the Islands of board and lodging in the Islands ;
- (c) to administer the Development Fund hereinafter in this Law referred to ;
- (d) to make, if necessary, recommendations to the States, from time to time, as to any legislation which may be necessary for the fulfilment of the duties set out in this Section.

Prohibition
of
unauthorised
provision of
accommoda-
tion.

3. No person shall after the prescribed date provide sleeping accommodation for reward for more than three persons at one time save under and in accordance with a permit (hereinafter in this Law referred to as a "boarding permit") granted by the Committee in respect of the premises in which such accommodation is provided :

PROVIDED THAT for the purpose of this Section no account shall be taken of

- (a) persons engaged in full-time domestic duties directly connected with the premises in which they sleep ;
- (b) persons accommodated as pupils, teachers or organizers in a bona-fide educational establishment, or persons engaged in full-time domestic duties and sleeping in such establishments ;
- (c) persons accommodated in respect of an occupation directly concerned with the care of the sick or of mentally affected persons or of persons under their care as patients of such persons ;
- (d) persons accommodated in premises under the direct control of the States ;
- (e) children under ten years of age ;
- (f) persons accommodated in such circumstances that the Committee shall deem it unreasonable to apply the provisions of this Law.

4. (a) No boarding permit shall have effect after the expiration of one year from the date on which it begins to have effect.

1948

Boarding
Permits.

(b) The Committee may grant any boarding permit unconditionally or subject to such conditions either as to duration or otherwise as they may deem advisable.

(c) Boarding permits shall be in writing and shall be deemed to be unconditional save insofar as any conditions thereof are clearly attached thereto or are notified in writing to the person to whom the boarding permit is granted.

(d) The Committee may at any time and from time to time revoke, suspend or vary the conditions of any boarding permit.

5. In considering whether any boarding permit shall be granted, refused, suspended or revoked, or what conditions (if any) should be attached thereto, or whether and in what respects a condition attached to any boarding permit should be varied, the Committee shall take into consideration

Matters to
be considered
in granting,
refusing,
etc.,
boarding
permits.

- (a) the nature of the accommodation provided or to be provided ;
- (b) the size, in relation to the density of population of the area in which they are situated and in relation to the density of population of the Islands generally, of the premises on which the accommodation is provided or is to be provided ;
- (c) the charges made or to be made for sleeping accommodation, and for meals, service and any matters ancillary thereto provided or to be provided for persons so accommodated in relation to what is or is to be provided for those charges ;
- (d) the nature of the establishment in which accommodation is provided or is to be provided in relation to its neighbours ;

1948

- (e) the interests taken as a whole of visitors generally and of the inhabitants of the Islands or of any one or more of them ;
- (f) any pertinent resolutions of the States ;
- (g) the breach (if any) by the person applying for or to whom a boarding permit has been granted of any duty laid upon him by this Law or by any Ordinance made thereunder ;

and shall not refuse an application for a boarding permit, or revoke, suspend or vary (otherwise than by way of removal) the conditions of a permit without first giving the applicant for or holder of the permit as the case may be a reasonable opportunity of making any relevant representations before the Committee either personally or by a representative.

Notification
of refusal,
etc., of a
boarding
permit.

6. The Committee shall

- (a) on refusing any application for a boarding permit ;
- (b) on granting any boarding permit otherwise than unconditionally ;
- (c) on revoking a boarding permit ;
- (d) on suspending a boarding permit ;
- (e) on variation, other than by way of removal of the conditions of any boarding permit ;

notify in writing within fourteen days thereafter the person applying for or to whom has been granted such boarding permit of the reasons for such refusal, revocation, suspension or variation of conditions.

Appeal.

7. An appeal shall lie to the Royal Court sitting as an Ordinary Court from any refusal, revocation or suspension of a boarding permit by the Committee, or from the attachment by the Committee of any condition to such a permit, on any question of law or of mixed law and fact, or on the following grounds only :—

1948

- (a) that the Committee has in such refusal, revocation, suspension or attachment of condition, acted in a manner contrary to natural justice ; or
- (b) that in considering whether or not so to refuse, revoke, or suspend, or whether and in what respect so to attach any condition, the Committee has considered matters other than those set out in Section 5 hereof or has failed to consider any of such matters.

Any decision of the Royal Court sitting as an Ordinary Court on such appeal shall be final.

8. A copy of his current boarding permit shall be exhibited at all times by the person to whom the boarding permit is granted in the main entrance of each of the premises to which it is applicable in such manner as to bring it clearly to the notice of any person entering such premises by such entrance, and there shall be further so exhibited a copy of any condition attached to such permit which shall, by writing addressed to such person, be required to be exhibited.

Exhibition
of Boarding
Permits.

9. The Committee may from time to time prescribe forms in which applications in respect of boarding permits shall be made and may in their discretion disregard any application made otherwise than in such a form.

Committee
may
prescribe
forms of
application.

10. Any member of the Committee appointed in writing for that purpose by the Committee or by the President of the Committee on their behalf is empowered at all reasonable times to enter upon and inspect any premises in respect of which a boarding permit has been applied for or has been granted.

Power of
Committee
to inspect.

11. The Committee may, for the purpose of carrying out their duties under this Law, appoint in writing such inspectors either generally or for a special purpose or occasion as they may deem necessary.

Power of
Committee
to appoint
Inspectors.

1948

Powers of
Inspectors.

12. Any Inspector appointed pursuant to the provisions of Section 11 of this Law is empowered, subject to the production to anyone reasonably demanding it of a certificate of his appointment signed by a member of the Committee, at all reasonable times to enter upon and inspect any premises in respect of which a boarding permit has been granted.

Classifica-
tion and
grading of
premises.

13. (a) The Committee are empowered from time to time by writing addressed to the person to whom a boarding permit has been granted in respect of any premises :—

- (i) to classify those premises for the purpose of the obtaining of the grant or the renewal of a licence under the Liquor Licensing (Provisional) Ordinance, 1948, or under any enactment amending or replacing the appropriate provisions of that Ordinance ;
- (ii) to grade and describe those premises.

(b) The Committee are empowered to publish any such grading or description.

(c) In so grading and describing any premises the Committee shall take into account not only the nature of the board, lodging, service and other amenities provided on and in respect of the premises but also the amount of intoxicating liquor normally supplied on the premises in relation to the extent of such board, lodging, service and accommodation.

(d) No person to whom a boarding permit has been granted shall with intent to deceive directly or indirectly advertise or describe the premises in respect of which such permit has been granted in such a manner as might lead any person to suppose that the premises had been graded or described by the Committee in a manner substantially at variance with the manner in which they are so graded or described.

14. (a) Any fees payable under this Law or any Ordinance made thereunder shall be paid to the Treasurer of the States of Guernsey to the credit of a Development Fund which shall be administered by the Committee.

1948

 Fees.
 Development Fund.

(b) Monies in the Development Fund may be expended by the Committee in furtherance of any of the duties set out in Section 2 but not otherwise.

15. (a) Any person acting in contravention of Section 3 of this Law shall be guilty of a separate offence in respect of each person for whom such accommodation is provided and shall be liable on conviction

Offences and Penalties.

- (i) on a first conviction to a fine not exceeding Fifty pounds ;
 - (ii) on a second conviction to a fine not exceeding Two hundred pounds ;
 - (iii) on a third or subsequent conviction to a fine not exceeding One thousand pounds.
- (b) Any person who, with intent
- (i) to obtain the grant of a boarding permit, or
 - (ii) to avoid the variation of any condition to a boarding permit, or
 - (iii) to avoid the revocation or suspension of a boarding permit,

wilfully makes any statement which is false in a material particular to the Committee or to any member of the Committee or to an Inspector appointed under this Law or who wilfully withholds from the Committee or from any such person material information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding One hundred pounds or to imprisonment with or without hard labour for a term not exceeding three months or to both such imprisonment and fine.

1948

(c) Any person who publicly exhibits any notice or document which falsely purports to show that he has been granted a boarding permit or which falsely purports to show that he has been granted a boarding permit unconditionally or upon condition more favourable to him than those which are attached to such permit shall be guilty of an offence and shall be liable on conviction to a fine not exceeding One hundred pounds or to imprisonment with or without hard labour for a term not exceeding three months or to both such imprisonment and such fine.

(d) Any person wilfully obstructing any member of the Committee or any Inspector duly appointed under this Law in the exercise of the powers conferred upon him by this Law shall be guilty of an offence and shall be liable

- (i) on a first conviction to a fine not exceeding Ten pounds ;
- (ii) on a second conviction to a fine not exceeding Fifty pounds ;
- (iii) on a third or subsequent conviction to a fine not exceeding One hundred pounds or to imprisonment with or without hard labour for one month.

(e) Any person committing an act in contravention of this Law for which a penalty is not specifically provided shall be guilty of an offence and shall be liable on a first conviction to a fine not exceeding Ten pounds and on a second or subsequent conviction to a fine not exceeding Fifty pounds.

Where an offence for which any person is liable under this Law has been committed by an agent of that person, the agent, as well as that person, shall be deemed to be guilty of that offence and shall be liable to be punished accordingly.

16. The Royal Court may make such Ordinances as are necessary for carrying out the provisions of this Law.

1948

Power of
Royal Court
to make
Ordinances.

17. The States may by Resolution, thereafter to be embodied in an Ordinance of the Royal Court, prescribe fees to be payable under this Law.

Fees.

18. In this Law

the expression "prescribed date" shall mean a date which the Committee shall prescribe by notice inserted in the Gazette Officielle on at least three occasions the last of which occasions shall be not later than 28 days before the prescribed date ;

Interpre-
tation.

the expression "the Islands" means the Islands of Guernsey, Herm and Jethou ;

the expression "attachment of conditions" includes the variation of conditions ;

the expression "vary the conditions" includes the attachment of conditions and the removal of conditions previously attached to the grant of a permit.

(Registered on the Records on the 28th August, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

VISCOUNT HALL.

MR. CHANCELLOR OF THE EXCHEQUER.

MR. KEY.

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 July, 1948, in the words following, viz. :—

The
Sewerage
(Guernsey)
Law, 1948.

1948

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolutions of the 4th day of July, 1945, and the 4th day of February, 1948, the States of Deliberation at a meeting held on the 30th day of June, 1948, approved a Bill or “Projet de Loi” entitled “The Sewerage (Guernsey) Law, 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Sewerage (Guernsey) Law, 1948,” and to order and direct that the same shall have 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.

1948

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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

"THE SEWERAGE (GUERNSEY) LAW, 1948".

THE STATES, in pursuance of their Resolutions of the 4th day of July, 1945, and the 4th day of February, 1948, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

1. The enactments set out in the Schedule to this Law are hereby repealed: Repeals.

PROVIDED ALWAYS that nothing in this repeal shall

- (a) affect the previous operation of the said enactments hereby repealed, or anything done or suffered thereunder; or
- (b) affect any liability or penalty incurred thereunder; or
- (c) affect any legal proceeding or remedy in respect of any such liability or penalty,

1948

and any such legal proceeding or remedy may be instituted or continued, and any such penalty may be imposed as if the said repeal had not been enacted.

Vesting of title to sewers in the States.

2. All right, title and interest to or in any public sewer now or hereafter situate in this Island shall be vested in the States of the Island of Guernsey.

Powers and duties of the Committee.

3. Responsibility for the construction, re-construction, alteration, repair, maintenance, cleansing and emptying of public sewers situate in this Island shall be vested in the Committee, and the Committee may undertake any works necessary for the execution of any of the duties so assigned to them.

Contributions.

4. (1) One quarter of the cost of repair or re-construction of any public sewer other than the outfall thereof shall be borne by the owners of the buildings served by that sewer and paid by them to the States, and such costs shall be apportioned among such owners in proportion to the respective annual rateable values of the buildings concerned.

(2) The owner of any building beginning to be served after the date of commencement of this Law by a public sewer shall pay to the States a sum equal to one third of the annual rateable value of that building.

(3) In the case of any building served by a public sewer the annual rateable value of which has by reason of any enlargement or improvement increased since the date of commencement of this Law, or since the date of the beginning of such service, whichever is the later, the owner shall pay to the States a sum equal to one third of the amount of every such increase.

(4) All other expenses incurred in carrying out any of the work mentioned in section 3 of this Law shall be borne by the States.

(5) Payments made to the States under this section shall be made

- (i) in respect of buildings existing at the date of commencement of this Law, on their beginning to be served by a public sewer ; and
- (ii) in respect of buildings constructed after that date, and in respect of such increases in rateable value as are envisaged by subsection (3) of this section, on their value, or increase of value, as the case may be, being entered on the Cadastre, or on their beginning to be served by a public sewer, whichever is the later date.

(6) For the purposes of this section, a glasshouse shall be deemed not to be a building.

5. The States Supervisor shall notify every person from whom any sum is due under section 4 of this Law of the amount due from him, which amount shall be payable within three months from the date of the notification. Any such person who shall fail or neglect within that period to pay the sum due from him shall be guilty of an offence, and shall be liable on summary conviction to a fine which shall not be less than ten shillings or more than two pounds.

Collection of contributions from property owners.

6. The Committee may at any time, if they consider it necessary in the interests of public health, require the owner of any building, by written notice signed by the President of the Committee, to connect that building, to the satisfaction of the Committee, with a public sewer, and to make provision to the like satisfaction for drainage.

Power of the Committee to require property owners to provide connection with public sewers.

7. If the owner of a building shall fail or neglect, within one month after receipt of the written notice referred to in the last preceding section, to comply to the satisfaction of the Committee with the terms of such notice, the Committee may themselves execute the work specified therein, and may recover the cost of such work from the owner of the building, who shall in addition be deemed to be guilty of an offence and

Penalty for failure to comply with a notice under section 6.

1948

liable on summary conviction to a fine not exceeding twenty pounds.

Compensation.

8. (1) The States shall make full compensation to any person who has suffered damage by reason of the exercise by the Committee of any of their powers under this Law in relation to a matter as to which he has not himself been in default.

(2) Where an owner of land claims compensation in respect of damage sustained by reason of the Committee having, in the exercise of their powers under this Law, constructed a sewer, the tribunal determining the amount of the compensation shall determine also by what amount, if any, the value to the claimant of any land belonging to him has been enhanced by the construction of the sewer, and the Committee may set off that amount against the amount of any compensation awarded.

Prosecutions.

9. Prosecutions for a breach of any of the provisions of this Law shall be instituted and conducted in the like manner as prosecutions for the breach of any of the provisions of an Ordinance.

Interpretation.

10. In this Law the following expressions shall have the meanings hereby respectively assigned to them—

“annual rateable value” means the annual rateable value shown in the Cadastre from time to time in force ;

“the Committee” means the Public Thoroughfares Committee ;

“drainage” includes the conveyance of refuse water and the conveyance of rain water from roofs ;

“owner” includes persons called, in the French language, ‘saisis d’héritage’ and ‘usufruitiers’.

Power of Royal Court to make Ordinances.

11. The Royal Court may make such Ordinances as it may deem necessary for the putting into execution of the provisions of this Law.

SCHEDULE.

Section 1

1948

Repeals.

Loi relative aux Egouts Paroissiaux, registered on the Records of this Island on the 20th day of May, 1922.

Loi supplémentaire à la Loi relative aux Egouts Paroissiaux, registered on the Records of this Island on the 20th day of January, 1930.

(Registered on the Records on the 28th August, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

VISCOUNT HALL.

MR. CHANCELLOR OF THE EXCHEQUER.

MR. KEY.

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 July, 1948, in the words following, viz. :—

Loi de 1948
amendant la
Loi relative
aux
Automobiles.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolution of the 31st day of March, 1948, the States of Deliberation at a meeting held on the 30th day of June, 1948, approved a Bill or “Projet de Loi” entitled “Loi de 1948 amendant la Loi relative aux Automobiles” and requested the Bailiff to present a most humble Petition to Your Majesty

1948

in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “Loi de 1948 amendant la Loi relative aux Automobiles”, and to order and direct that the same shall have 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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred in the foregoing
Order in Council.

1948

PROJET DE LOI
INTITULÉ

“LOI DE 1948 AMENDANT LA LOI RELATIVE
AUX AUTOMOBILES.”

LES ETATS, vu leur Délibération du 31 mars 1948, ont approuvé les dispositions suivantes, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de loi en cette Ile.

La Loi relative aux Automobiles, enregistrée sur les Records de cette Ile le 11 décembre 1926, aura effet comme si l'alinéa suivant fut inséré dans l'Article 4 de la dite Loi après les mots “cinquante chelins sur les motocyclettes avec ‘sidecars’.” et avant les mots “Sont exceptés” —

Taux des
droits pour
tracteurs
agricoles.

“Pourvu que dès le 1er janvier 1948, le taux des droits annuels pour tout tracteur agricole d'aucun des marques et types recommandés par le Comité des Etats pour l'Agriculture et la Pêche et approuvé par le Conseil Administratif des Etats à cet effect, étant un tracteur n'étant jamais employé au transport pour l'exportation de l'Ile de produits du sol, ne sera qu'une livre sterling.”

[TRANSLATION]

PROJET DE LOI
ENTITLED

“LAW OF 1948 AMENDING THE LAW
RELATING TO AUTOMOBILES.”

THE STATES, in pursuance of their Resolution of the 31st day of March, 1948, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

1948
 Rate of tax
 for
 agricultural
 tractors.

The Law relating to Automobiles, registered on the Records of this Island on the 11th day of December, 1926, shall have effect as if the following paragraph were inserted in Article 4 of the said Law after the words "fifty shillings on motor cycles with 'side-cars'." and before the words "Are excepted"—

"PROVIDED THAT, as from the 1st day of January, 1948, the rate of annual tax for every agricultural tractor of any make and type recommended by the States Committee for Agriculture and Fisheries and approved by the States Board of Administration for this purpose, being a tractor which is not used for transport for export from the Island of produce of the soil, shall only be one pound sterling."

(Registered on the Records on the 28th August, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

VISCOUNT HALL.

MR. CHANCELLOR OF THE EXCHEQUER.

MR. KEY.

Loi de 1948
 portant
 amendement
 aux Lois
 relatives 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 27th day of July, 1948, in the words following, viz.:—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

' 1.—That, in pursuance of their Resolution of the 1st day of October, 1947, the States of Deliberation at a meeting held on the 4th day of June,

1948

1948, approved a Bill or "Projet de Loi" entitled "Loi de 1948 portant amendement aux Lois relatives à l'Entretien des Voies Publiques" and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "Loi de 1948 portant amendement aux Lois relatives à l'Entretien des Voies Publiques," and to order and direct that the same shall have 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 and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats,

1948

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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“LOI DE 1948 PORTANT AMENDEMENT AUX
LOIS RELATIVES À L'ENTRETIEN DES VOIES
PUBLIQUES.”

THE STATES, in pursuance of their Resolution of the 1st day of October, 1947, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island.

“Rateable
value”
substituted
for “valeur
locative”.

1. In the enactments set out in the Schedule to this Law the expression “valeur locative” shall be deleted wherever it occurs, and the expression “valeur contribuable (anglicé ‘rateable value’)” substituted therefor.

Tax to be
known as
“Tax on the
rateable
value of Real
Property”.

2. Any tax levied on real property under the provisions of any of the said enactments or of the Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques, registered on the Records of this Island on the 19th day of May, 1923, shall henceforth be designated “Tax on the rateable value of Real Property.”

SCHEDULE.

Loi relative à l'Entretien des Voies Publiques, registered on the Records of this Island on the 26th day of November, 1904.

Loi pour l'Entretien des Rues de la Paroisse de St. Pierre Port, et la Reconstitution du Comité des Voies Publiques de l'Ile, registered on the Records of this Island on the 13th day of December, 1919.

(Registered on the Records on the 28th August, 1948.)

1948

AT THE COURT AT BUCKINGHAM PALACE,

The 5th day of August, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.
LORD PRESIDENT.
VISCOUNT HALL.
MR. CHANCELLOR OF THE EXCHEQUER.
MR. KEY.

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 July, 1948, in the words following, viz:—

Loi de 1948
supplé-
mentaire
à la Loi
relative à la
Taxation
Paroissiale
(1923).

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That, in pursuance of their Resolution of the 19th day of August, 1947, the States of Deliberation at a meeting held on the 4th day of June, 1948, approved a Bill or “Projet de Loi” entitled “Loi de 1948 supplémentaire à la Loi relative à la Taxation Paroissiale (1923)” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “Loi de 1948 supplémentaire à la Loi relative à la Taxation Paroissiale (1923)” and to order and direct that the same shall have 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

1948

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 and 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.

È. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

INTITULÉ

"LOI DE 1948 SUPPLÉMENTAIRE À LA LOI
RELATIVE À LA TAXATION PAROISSIALE
(1923)."

LES ETATS, vu leur Délibération en date du 19 août 1947, ont approuvé les dispositions suivantes, lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de loi en cette Ile:—

1. Dans l'Article qui port le titre "Définitions" de la Loi relative à la Taxation Paroissiale, enregistrée sur les Records de cette Ile le 27 octobre 1923, (laquelle Loi est ci-après désignée "la Loi principale") la définition de l'expression "valeur locative" sera rayée, et la définition suivante y sera substituée—

"l'expression 'valeur contribuable' signifie la valeur dite 'rateable value' énoncée de temps à autre dans le Cadastre Général de l'Ile."

1948
Définition de
"valeur con-
tribuable".

2. Est et demeure rappelée la section deux de l'Article II de la Loi principale, et y sera substitué l'Article suivant, lequel formera dorénavant l'Article II de la Loi principale—

Levée de la
tax sur la
valeur con-
tribuable.

"Les sommes requises pour les objets portés à l'Article premier, après qu'elles auront été votées par les Chefs de Famille de la paroisse, seront fournies par le moyen d'une taxe sur la valeur contribuable des maisons, édifices, bâtiments et terres situés dans la paroisse, laquelle taxe sera levée sur l'occupant sauf dans les cas suivants, savoir :—

- (1) Dans le cas d'une maison louée par le propriétaire ou sous-louée par le locataire, soit meublée soit en appartements, dans lequel cas la taxe sera levée sur le propriétaire ou locataire, selon le cas, lequel, ayant payé la dite taxe, aura le droit d'en recouvrer le montant de l'occupant.
- (2) Dans le cas d'un terrain dont la valeur contribuable est moins de £14 sterling par an, dans lequel cas la taxe sera levée sur le propriétaire."

3. Sont et demeurent rappelés l'Article IV et l'Article VIII de la Loi principale. Rappel.

1948

TRANSLATION

OF

PROJET DE LOI

ENTITLED

“LAW OF 1948 SUPPLEMENTARY TO THE
LAW CONCERNING PAROCHIAL TAXATION
(1923).”

THE STATES, in pursuance of their Resolution of the 19th day of August, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

Definition of
“valeur con-
tribuable”.

1. In the Article which bears the title “Définitions” of the Law concerning Parochial Taxation, registered on the Records of this Island on the 27th day of October, 1923, (which Law is hereinafter called “the Principal Law”) the definition of the expression “valeur locative” shall be deleted and the following definition substituted therefor—

“the expression ‘valeur contribuable’ means the value called ‘rateable value’ set out from time to time in the Cadastre of the Island.”

Levy of tax
on rateable
value of
Real
Property.

2. Section two of Article II of the Principal Law is hereby repealed, and the following Article substituted therefor, which shall henceforth be Article II of the Principal Law—

“The amounts required for the purposes prescribed in Article one, after they have been voted by the Heads of Families of the parish, shall be provided by means of a tax on the rateable value of houses, structures, buildings and lands situate in the parish, which tax shall be levied on the occupant except in the following cases:—

- (1) In the case of a house let by the owner or sublet by the tenant, whether furnished or in portions, in which case the tax shall be levied on the owner or tenant, as the case may be,

who, having paid the said tax, shall be entitled to recover the amount from the occupier.

1948

- (2) In the case of a piece of ground the annual rateable value of which is less than £14 sterling, in which case the tax shall be levied on the owner."

3. Article IV and Article VIII of the Principal Law are hereby repealed. Repeal.

(Registered on the Records on the 4th October, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 13th day of September, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
SIR ALEXANDER CADOGAN.
MR. TOM WILLIAMS.
MR. PALING.
MR. TOMLINSON.

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 30th day of August, 1948, in the words following, viz. :—

The Interpretation
(Guernsey)
Law, 1948.

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

' 1.—That, in pursuance of their Resolution of the 19th day of December, 1947, the States of Deliberation at a meeting held on the 3rd day of March, 1948, approved a Bill or "Projet de Loi" entitled "The Interpretation (Guernsey) Law, 1948", and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal

1948

Sanction thereto: 2.—That the said States of Deliberation, at a meeting held on the 21st day of July, 1948, approved of an amendment to the said Bill or “Projet de Loi” and authorised the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to the said Bill or “Projet de Loi” as so amended: 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Interpretation (Guernsey) Law, 1948,” and to order and direct that the same shall have force of Law in the Islands of Guernsey and Herm.”

“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 Islands of Guernsey and Herm.

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.

1948

AND the Lieutenant Governor and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“ THE INTERPRETATION (GUERNSEY)
LAW, 1948 ”.

THE STATES have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island and in the Island of Herm :—

1. In this Law and in every other enactment, whether passed before or after the commencement of this Law, unless the contrary intention appear—

Rules as to
gender and
number.

- (a) words importing the masculine gender shall include females ; and
- (b) words in the singular shall include the plural and words in the plural shall include the singular.

2. (1) In the construction of every enactment relating to an offence punishable on indictment or on summary conviction, whether passed before or after the commencement of this Law, the expression “ person ” shall, unless the contrary intention appear, include a body corporate.

Application
of penal
enactments
to Bodies
Corporate.

Provided that nothing in this sub-section shall render any body corporate liable in respect of any act or omission occurring before the date of the

1948

commencement of this Law, to any criminal proceedings to which that body corporate would not have been liable before that date.

(2) Where under any enactment, whether passed before or after the commencement of this Law, any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a body corporate in every case where that body is the party aggrieved.

Meanings of
certain
words.

3. In every enactment, whether passed before or after the commencement of this Law, the following expressions shall, unless the contrary intention appear, have the meanings hereby respectively assigned to them, namely—

The expression “month” shall mean calendar month ;
The expression “land ” shall include houses and buildings ;

The expressions “oath ” and “affidavit ” shall, in the case of persons for the time being allowed by Law to affirm or declare instead of swearing, include affirmation and declaration, and the expression “swear ” shall, in the like case, include affirm and declare.

Judicial
notice of
Acts of
Parliament.

4. Every public Act of Parliament, whether passed before or after the commencement of this Law, and whether registered on the Records of this Island or not, shall be judicially noticed as such.

Effect of
repeal.

5. (1) Where an enactment, whether passed before or after the commencement of this Law, repeals a repealing enactment, it shall not be construed as reviving any enactment previously repealed, unless words are added reviving that enactment.

(2) Where an enactment, whether passed before or after the commencement of this Law, repeals wholly or partially any former enactment and substitutes provisions for the enactment repealed, the repealed provisions shall remain in

force until the substituted provisions come into operation.

1948

6. In this Law, and in every other enactment, whether passed before or after the commencement of this Law, the following expressions shall, unless the contrary intention appear, have the meanings hereby respectively assigned to them, namely—

Official definitions.

- (1) the expression “ consular officer ” shall include consul-general, consul, vice-consul, consular agent, and any person for the time being authorised to discharge the duties of consul-general, consul or vice-consul ;
- (2) the expression “ the States ” shall mean the States of Deliberation.

7. In this Law and in every other enactment whether passed before or after the commencement of this Law, the following expressions shall, unless the contrary intention appear, have the meanings hereby respectively assigned to them, namely :—

Judicial definitions.

- (1) the expression “ imprisonment ” shall mean imprisonment with or without hard labour ;
- (2) the expression “ Police Court ” shall mean the Court called, in the French language, “ La Cour de Police Correctionnelle ”.

8. In this Law and in every other enactment, whether passed before or after the commencement of this Law, the following expressions shall, unless the contrary intention appear, have the meanings hereby respectively assigned to them, namely :—

Geographical definitions.

- (1) the expression “ British Islands ” shall mean the United Kingdom, the Channel Islands and the Isle of Man ;
- (2) the expression “ United Kingdom ” shall mean Great Britain and Northern Ireland ;

1948

- (3) the expression " British possession " shall mean any part of His Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession ;
- (4) the expression " colony " shall mean any part of His Majesty's dominions exclusive of the British Islands and the self-governing Dominions, and where parts of such dominions are under both a central and a local legislature all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony ;
- (5) the expression " colonial legislature " and the expression " legislature ", when used with reference to a British possession, shall respectively mean the authority other than the Imperial Parliament or His Majesty the King in Council, competent to make laws for a British possession.

Meaning of person.

9. In this Law and in every other enactment, whether passed before or after the commencement of this Law, the expression " person " shall, unless the contrary intention appear, include any body of persons corporate or unincorporate.

Meaning of " writing ".

10. In this Law and in every other enactment, whether passed before or after the commencement of this Law, expressions referring to writing shall, unless the contrary intention appear, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Meaning of service by post.

11. Where an enactment, whether passed before or after the commencement of this Law, authorises

1948

or requires any document to be served by post, whether the expression "serve" or the expression "give" or "send", or any other expression is used, then, unless the contrary intention appear, the service shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the document, and unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

12. In this Law and in every other enactment, whether passed before or after the commencement of this Law, references to the Sovereign reigning at the time of the passing of the enactment or to the Crown shall, unless the contrary intention appear, be construed as references to the Sovereign for the time being, and this Law shall be binding on the Crown.

References
to the Crown.

13. Where any enactment, whether passed before or after the commencement of this Law, confers power to make or issue any instrument, that is to say, any order, warrant, scheme, rules or regulations, expressions used in the instrument, if it is made after the commencement of this Law, shall, unless the contrary intention appear, have the same respective meanings as in the enactment conferring the power.

Construction
of statutory
rules.

14. (1) Where an enactment, whether passed before or after the commencement of this Law, confers a power or imposes a duty, then, unless the contrary intention appear, the power may be exercised and the duty shall be performed from time to time as occasion requires.

Construction
of provisions
as to
exercise
of powers
and duties.

(2) Where an enactment, whether passed before or after the commencement of this Law, confers a power or imposes a duty on the holder of an office, as such, then, unless the contrary intention appear, the power may be exercised and the duty shall be performed by the holder for the time being

1948

of the office, or, in case of his absence or incapacity by the person for the time being performing the duty of that office.

(3) Where an enactment, whether passed before or after the commencement of this Law, confers a power to make any orders, rules or regulations, the power shall, unless the contrary intention appear, be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend or vary the orders, rules or regulations.

Offences
under two
or more
enactments.

15. Where an act or omission constitutes an offence under two or more enactments, or both under an enactment and under the customary law of this Island, whether any such enactment was passed before or after the commencement of this Law, the offender shall, unless the contrary intention appear, be liable to be prosecuted and punished under either or any of those enactments or under the customary law, but shall not be liable to be punished twice for the same offence.

Measure-
ment of
distance.

16. In the measurement of any distance for the purposes of any enactment, whether passed before or after the commencement of this Law, that distance shall, unless the contrary intention appear, be measured in a straight line on a horizontal plane.

“Commence-
ment”.

17. (1) In this Law and in every enactment, whether passed before or after the commencement of this Law, the expression “commencement”, when used with reference to an enactment, shall mean the time at which the enactment comes into operation.

(2) Where an enactment, whether passed before or after the commencement of this Law, or any order, warrant, scheme, rules or regulations made or issued under a power conferred by any such enactment, is expressed to come into operation on a

1948

particular day, the same shall be construed as coming into operation immediately on the expiration of the previous day.

18. Where an enactment, whether passed before or after the commencement of this Law, is not to come into operation immediately on the passing thereof, and confers power to make any appointment, to make or issue any instrument, that is to say, any order, warrant, scheme, rules or regulations, to give notices, to prescribe forms, or to do any other thing for the purposes of the enactment, that power may, unless the contrary intention appear, be exercised at any time after the passing of the enactment, so far as may be necessary or expedient for the purpose of bringing the enactment into operation at the date of the commencement thereof, subject to this restriction, that any instrument made under the power shall not, unless the contrary intention appear in the enactment, or the contrary is necessary for bringing the enactment into operation, come into operation until the enactment comes into operation.

Exercise of statutory powers between passing and commencement of enactment.

19. (1) Where this Law or any other enactment, whether passed before or after the commencement of this Law, repeals and re-enacts, with or without modification, any provisions of a former enactment, references in any other enactment to the provisions so repealed shall, unless the contrary intention appear, be construed as references to the provisions so re-enacted.

Effect of repeal and re-enactment.

(2) Where this Law or any other enactment, whether passed before or after the commencement of this Law, repeals any other enactment, then, unless the contrary intention appear, the repeal shall not—

- (a) revive anything not in force or not existing at the time at which the repeal takes effect ; or
- (b) affect the previous operation of any enactment so

1948

repealed or anything duly done or suffered under any enactment so repealed ; or

- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed ; or
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed ; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the repealing enactment had not been passed.

Citation 20. This Law may be cited as the Interpretation (Guernsey) Law, 1948.

(Registered on the Records on the 30th October, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of October, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

MR. SECRETARY CREECH JONES.

MAJOR MILNER.

MR. BARNES.

Road Traffic
(Driving
under the
Influence of
Drink or
Drugs) Law,
1948.

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 October, 1948, in the words following, viz. :—

“ YOUR MAJESTY having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the

humble Petition of the States of the Island of Guernsey, setting forth:—

1948

' 1.—That, in pursuance of their Resolution of the 17th day of December, 1947, the States of Deliberation at a meeting held on the 4th day of February, 1948, approved a Bill or "Projet de Loi" entitled "Road Traffic (Driving under the Influence of Drink or Drugs) Law, 1948," and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "Road Traffic (Driving under the Influence of Drink or Drugs) Law, 1948," and to order and direct that the same shall have 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

1948

Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“ROAD TRAFFIC (DRIVING UNDER THE
INFLUENCE OF DRINK OR DRUGS) LAW,
1948.”

THE STATES, in pursuance of their Resolution of the 17th day of December, 1947, have approved the following provisions, which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

Driving
under
influence of
drink or a
drug.

1. (1) Any person who when driving or attempting to drive, or when in charge of, a motor vehicle on a road or other public place is under the influence of drink or of a drug to such an extent as to be incapable of having a proper control of the vehicle, shall be liable—

(a) on summary conviction, to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding four months, and in the case of a second or subsequent conviction either to a fine not exceeding one hundred pounds or to such imprisonment as aforesaid or to both such fine and imprisonment:

1948

(b) on conviction on indictment before the Royal Court sitting as a Full Court, to imprisonment with or without hard labour for a term not exceeding six months or to a fine or to both such imprisonment and fine.

(2) A person convicted of an offence under this Law shall, unless the Court for special reasons thinks fit to order otherwise and without prejudice to the power of the Court to order a longer period of disqualification be disqualified for a period of twelve months from the date of the conviction from holding or obtaining a licence.

(3) A police constable may arrest without warrant any person committing an offence under this Law.

2. For the purposes of this Law the expression "motor vehicle" shall mean any mechanically propelled vehicle intended or adapted for use on roads.

Definition of "motor vehicle".

3. A person liable to be charged with an offence under this Law shall not be liable to be charged with an offence under the *Loi par rapport aux Personnes Ivres ayant le Soins de Véhicules sur les Voies Publiques* registered on the Records of this Island on the 28th day of October, 1922.

Charging of offences.

(Registered on the Records on the 30th October, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of October, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

MR. SECRETARY CREECH JONES.

MAJOR MILNER.

MR. BARNES.

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 October, 1948, in the words following, viz.:—

The Public Health (Vermin) (Guernsey) Law, 1948.

1948

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That, in pursuance of their Resolution of the 14th day of February, 1948, the States of Deliberation at a meeting held on the 4th day of June, 1948, approved a Bill or “Projet de Loi” entitled “The Public Health (Vermin) (Guernsey) Law, 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Public Health (Vermin) (Guernsey) Law, 1948,” and to order and direct that the same shall have force of Law in the Islands of Guernsey, Herm and Jethou.’

“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 Islands of Guernsey, Herm and Jethou.

1948

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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE PUBLIC HEALTH (VERMIN)
(GUERNSEY) LAW, 1948.”

THE STATES, in pursuance of their Resolution of the 14th day of February, 1948, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island and the Islands of Herm and Jethou.

1. (1) Where it appears to the Board upon a certificate from the Medical Officer of Health or a sanitary inspector that any premises used for human habitation—

Cleansing of
filthy or
verminous
premises.

(a) are in such a filthy or unwholesome condition as to be prejudicial to health ; or

(b) are verminous,

the Board may give notice to the owner or occupier of the premises requiring him to take such steps to remedy the condition of the premises by cleansing, disinfecting and white washing them, as may be

1948

specified in the notice, and in the case of verminous premises the notice may require, among other things, the removal of the wallpaper or other covering on the walls, and the taking of such other steps as may be necessary for the purpose of destroying or removing vermin.

(2) If a person on whom a notice under this section is served fails to comply with the requirements thereof, the Board may itself carry out the requirements and recover from him the expenses reasonably incurred in so doing, and without prejudice to the right of the Board to exercise that power, he shall be liable to a fine not exceeding five pounds and to a further fine not exceeding forty shillings for each day on which the offence continues after conviction therefor :

PROVIDED that in any proceedings under this sub-section it shall be a defence to any defendant to show that the Board's requirements, or its decision to address its notice to him and not to the occupier or, as the case may be, the owner of the premises, are unreasonable.

(3) Where the Board takes action on the ground set out in paragraph (b) of subsection (1) of this section, the notice may require that the Board shall be allowed to employ gas for the purpose of destroying vermin on the premises, but in that case the notice shall be served both on the owner and on the occupier of the premises, and the Board shall bear the cost of its operations and may provide temporary shelter or house accommodation for any person compelled to leave any premises by reason of those operations.

Cleansing
or destruction
of
filthy or
verminous
articles.

2. Where it appears to the Board upon a certificate of the Medical Officer of Health or a sanitary inspector that any article in any premises—

(a) is in so filthy a condition as to render its cleansing, purification or destruction necessary in order to prevent injury, or danger of injury, to the health of any person in the premises; or

- (b) is verminous or, by reason of its having been used by, or having been in contact with, any verminous person, is likely to be verminous,

1948

the Board may cause that article to be cleansed, purified, disinfected or destroyed, as the case may require, at the Board's expense, and, if necessary for that purpose, to be removed from the premises.

3. (1) In relation to any vessel the provisions of this law shall have effect as if—

Vessels.

- (a) the vessel were a house or building ; and
 (b) the master, or other officer or person in charge, of the vessel were the occupier.

(2) This section shall not apply to any vessel belonging to His Majesty or under the command or in charge of an officer holding His Majesty's commission, or to any vessel belonging to a foreign government.

4. The provisions of this Law shall apply to tents, vans, sheds and similar structures used for human habitation as they apply to other premises and as if a tent, van, shed or similar structure used for human habitation were a house or building so used.

Tents and vans.

5. (1) Upon the application of any person, the Board may take such measures as are, in its opinion, necessary to free him and his clothing from vermin.

Cleansing of verminous persons and their clothing.

(2) Where it appears to the Board, upon a report from the Medical Officer of Health or from a sanitary inspector, that any person, or the clothing of any person, is verminous, then, if that person consents to be removed to the cleansing station, the Board may cause him to be removed to such a station, and, if he does not so consent, the Board may apply to the Police Court, and the Court, if satisfied that it is necessary that he or his clothing should be cleansed, may make an order for his removal to such a station and for his detention therein for such period and subject to such conditions as may be specified in the order.

1948

(3) Where a person has been removed to a cleansing station in pursuance of the last foregoing subsection, the Board shall take such measures as may, in their opinion, be necessary to free him and his clothing from vermin.

(4) The cleansing of females under this section shall be carried out only by a registered medical practitioner, or by a woman authorised by the Medical Officer of Health.

(5) Any consent required to be given for the purposes of this section may, in the case of a person under the age of sixteen years or of a person under guardianship by reason of his mental illness, be given on his behalf by his parent or guardian.

(6) No charge shall be made in respect of the cleansing of a person or his clothing, or in respect of his removal to, or maintenance in, a cleansing station under this section.

(7) The powers conferred on the Board by this Law shall be in addition to, and not in derogation from, any power in relation to the cleansing of children which may be exercisable by any States education authority.

Children.
School

6. (1) The Education Council may, by directions in writing issued in respect of any school authorise the School Medical Officer to cause examinations of the persons and clothing of pupils in attendance at such school to be made whenever in his opinion such examinations are necessary in the interests of cleanliness.

(2) Any such examination as aforesaid shall be made by a person authorised by the Education Council to make such examinations, and if the person or clothing of any pupil is found upon such an examination to be infested with vermin or in a foul condition, any person authorised by the Education Council may serve upon the parent or guardian of the pupil a notice requiring him to cause the person and clothing of the pupil to be cleansed.

1948

(3) A notice served under the last foregoing subsection shall inform the person upon whom it is served that unless within the period limited by the notice, not being less than twenty-four hours after the service thereof, the person and clothing of the pupil to whom the notice relates are cleansed to the satisfaction of such person as may be specified in the notice the cleansing of that pupil and his clothing will be carried out under arrangements made by the Education Council; and if, upon a report being made to him by such specified person at the expiration of that period, the School Medical Officer is not satisfied that the person and clothing of the pupil have been properly cleansed, the Education Council or any person authorised by them may issue an order directing that the person and clothing of the pupil be cleansed under such arrangements.

(4) The Education Council shall make arrangements to secure that any person or clothing required under this section to be cleansed may be cleansed (whether at the request of a parent or in pursuance of an order issued under this section) at suitable premises by suitable persons and with suitable appliances.

(5) Where an order has been issued under this section directing that the person and clothing of a pupil be cleansed under arrangements made by the Education Council, the order shall be sufficient to authorise any officer of the Education Council to cause the person and clothing of the pupil named in the order to be cleansed in accordance with arrangements made under the last foregoing subsection, and for that purpose to convey him to, and detain him at, any premises provided in accordance with such arrangements.

(6) If, after the cleansing of the person or clothing of any pupil has been carried out under this section, his person or clothing is again found to be infested with vermin or in a foul condition at any time while he is in attendance at a school and it is proved

1948

that the condition of his person or clothing is due to neglect on the part of his parent or guardian, the parent or guardian shall be liable on summary conviction to a fine not exceeding twenty shillings.

(7) Where the School Medical Officer or the person in charge of any school suspects that the person or clothing of any pupil in attendance at a school is infested with vermin or in a foul condition, but action for the examination or cleansing thereof cannot immediately be taken, he may, if he considers it necessary so to do either in the interest of the pupil or of other pupils in attendance at the school, direct that the pupil be excluded from the school until such action has been taken ; and such a direction shall be a defence to any proceedings in respect of the failure of the pupil to attend school on any day on which he is excluded in pursuance of the direction, unless it be proved that the issue of the direction was necessitated by the wilful default of the pupil or his parent.

(8) No girl shall be examined or cleansed under the powers conferred by this section except by a duly qualified medical practitioner or by a woman authorised for that purpose by the Education Council.

Provision of
cleansing
stations.

7. The Board may provide such cleansing stations as may be necessary for the discharge of its functions under any of the provisions of this Law.

Summary
proceedings

8. Any offence under this Law shall be prosecuted before the Police Court.

Continuing
offences and
penalties.

9. Where provision is made by or under this Law for the imposition of a daily penalty in respect of a continuing offence, the Court may fix a reasonable period from the date of conviction for compliance by the defendant with any directions given by the Court and, where the Court has fixed such a period, the daily penalty shall not be recoverable in respect of any day before the expiration thereof.

1948

 Protection
of members
of the
Board and
their officers
from
personal
liability.

10. No matter or thing done, and no contract entered into by the Board or the Education Council, and no matter or thing done by any member or officer of the Board or of the Education Council or other person whomsoever acting under the direction of the Board or of the Education Council, shall, if the matter or thing were done or the contract were entered into in good faith for the purpose of executing this Law, subject them or any of them personally to any action, liability, claim or demand whatsoever; and any expense incurred by the Board or by the Education Council or by such member, officer or other person acting as last aforesaid shall be borne and repaid out of moneys provided for that purpose by the States of Guernsey.

11. (1) Subject to the provisions of this section, any person authorised by the Board shall, on producing, if so required, some duly authenticated document showing his authority, have a right to enter any premises at all reasonable hours—

 Power of
entry.

- (a) for the purpose of ascertaining whether or not circumstances exist on or in connection with those premises which would authorise or require the Board to take any action, or execute any work, under this Law or any Ordinance made thereunder ;
- (b) for the purpose of taking any action, or executing any work, authorised by this Law or any such Ordinance, or any order made under this Law, to be taken, or executed, by the Board;
- (c) generally, for the purpose of the performance by the Board of its functions under this Law or any such Ordinance :

PROVIDED that admission to any premises, not being a factory, workshop or workplace, shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.

1948

(2) If it is shown to the satisfaction of the Police Court—

- (a) that admission to any premises has been refused, or that refusal is apprehended, or that the premises are unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency, or that a request for admission would defeat the object of the entry ; and
- (b) that there is reasonable ground for entry into the premises for any such purpose as is specified in this section,

the Court may by warrant authorise the Board by any authorised officer to enter the premises, if need be by force :

PROVIDED that such a warrant shall not be issued unless the Court is satisfied either that a notice of the intention to apply for a warrant has been given to the occupier, or that the premises are unoccupied, or that the occupier is temporarily absent, or that the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any premises by virtue of this section, or of a warrant issued thereunder, may take with him such other persons as may be necessary, and on leaving any unoccupied premises which he has entered by virtue of such a warrant shall leave them as effectually secured against trespassers as he found them.

(4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.

(5) If any person who in compliance with the provisions of this section or of a warrant issued thereunder is admitted into a factory, workshop or work-place discloses to any person any information obtained by him in the factory, workshop or workplace with regard to any manufacturing process or trade secret,

1948

he shall, unless such disclosure was made in the performance of his duty, be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months.

12. A person who wilfully obstructs any person acting in the execution of his duties under this Law or any Ordinance, order or warrant made or issued thereunder shall, in any case for which no other provision is made by this Law or by the Ordinance in question, be liable to a fine not exceeding five pounds.

Penalty for obstructing execution of the Law.

13. (1) The Board shall make full compensation to any person who has sustained damage by reason of the exercise by the Board of any of its powers under this Law in relation to a matter as to which he has not himself been in default.

Compensation for damage.

(2) Any dispute arising under this section as to the fact of damage, the default of any person or the amount of compensation shall be determined by the Royal Court sitting as an Ordinary Court, whose decision shall be final.

14. The Royal Court may pass such Ordinances as it may from time to time deem necessary to give effect to this Law.

Power of Court to make Ordinances.

15. In this Law, where the context so admits, the following expressions shall have the meanings hereby respectively assigned to them—

Interpretation.

“Board” means the States Board of Health ;

“premises” includes buildings, lands and hereditaments of any tenure ;

“sanitary inspector” shall have the same meaning as in the Loi relative à la Santé Publique, 1934 ;

“School Medical Officer” means the School Medical Officer appointed by the Education Council ;

“vermin”, in its application to insects and parasites, includes their eggs, larvæ and pupæ, and the expression “verminous” shall be construed accordingly ;

1948

“vessel” includes any ship or boat, or any other description of vessel used in navigation.

Repeal.

16. Clause (a) of sub-paragraph (i) of paragraph (3) of Section 23 of the Loi relative à l’Instruction Primaire et aux Fonctions du Conseil d’Education et des Comités d’Education Paroissiaux, 1935, as amended by the Education (Amendment) Law (Guernsey), 1938, is hereby repealed, save that such repeal shall not affect the validity of any proceedings taken, or penalty or punishment imposed, or any other thing done in virtue of that Law prior to the commencement of this Law.

(Registered on the Records on the 30th October, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of October, 1948.

PRESENT,

THE KING’S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

MR. SECRETARY CREECH JONES.

MAJOR MILNER.

MR. BARNES.

The Rent
Control Law
(Guernsey),
1946,
Amendment
Law, 1948.

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 October, 1948, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1.—That, in pursuance of their Resolution of the 17th day of December, 1947, the States of Deliberation at a meeting held on the 4th day of June, 1948, approved a Bill or “Projet de Loi” entitled “The Rent Control Law (Guernsey),

1946, Amendment Law, 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Rent Control Law (Guernsey), 1946, Amendment Law, 1948,” and to order and direct that the same shall have 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 and 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.

E. C. E. LEADBITTER.

1948

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE RENT CONTROL LAW (GUERNSEY),
1946, AMENDMENT LAW, 1948”.

THE STATES, in pursuance of their Resolution of the 17th day of December, 1947, have approved the following provisions, which subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island:—

Amend-
ments to Law
of 1946.

1.—The Rent Control Law (Guernsey), 1946, shall be amended as follows:—

(1) In sub-section (1) of Section 1 of that Law the definition of the expression “Cadastre rental value” shall be deleted and the following expressions substituted therefor:—

“Cadastre rateable value” at any time means the rateable value recorded in the Island Cadastre in operation at that time.

“Cadastre rental value” means the rental value recorded in the Island Cadastre in operation on on the 31st day of December, 1947.

(2) In sub-section (1) of Section 2 of that Law the expression “Cadastre rateable value” shall be substituted for the expression “Cadastre rental value” in the two instances in which such latter expression occurs.

Citation.

2.—This Law and the Rental Control Laws (Guernsey), 1946 and 1947, may be cited together as the Rent Control Laws (Guernsey), 1946 to 1948.

*(Registered on the Records on the 30th October, 1948.)*1948

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of October, 1948.

PRESENT,
 THE KING'S MOST EXCELLENT MAJESTY.
 LORD PRESIDENT.
 MR. SECRETARY CREECH JONES.
 MAJOR MILNER.
 MR. BARNES.

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 October, 1948, in the words following, viz.:—

Cadastre
 (Amend-
 ment) Law,
 1948.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘ 1.—That, in pursuance of their Resolution of the 3rd day of March, 1948, the States of Deliberation at a meeting held on the 21st day of July, 1948, approved a Bill or “*Projet de Loi*” entitled “*Cadastre (Amendment) Law, 1948,*” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “*Cadastre (Amendment) Law, 1948,*” and to order and direct that the same shall have 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

1948

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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“CADASTRE (AMENDMENT) LAW, 1948.”

THE STATES, in pursuance of their Resolution of the 3rd day of March, 1948, have approved the following provision which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in this Island :—

In Article 11 of the Cadastre Law, 1947, the words “one half” shall be deleted and the word “three-quarters” substituted therefor.

(Registered on the Records on the 30th October, 1948.)

1948

AT THE COURT AT BUCKINGHAM PALACE,

The 8th day of October, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.
MR. SECRETARY CREECH JONES.
MAJOR MILNER.
MR. BARNES.

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 October, 1948, in the words following, viz. :—

Office of
Lieutenant
Governor of
Guernsey
(Salary and
Official
Expenses)
Law, 1948.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolution of the 26th day of March, 1947, the States of Deliberation at a meeting held on the 21st day of July, 1948, approved a Bill or “*Projet de Loi*” entitled “Office of Lieutenant Governor of Guernsey (Salary and Official Expenses) Law, 1948” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “Office of Lieutenant Governor of Guernsey (Salary and Official Expenses) Law, 1948,” and to order and direct that the same shall have force of Law in the Bailiwick of the Island of Guernsey.’

1948

“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 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 and **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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“OFFICE OF LIEUTENANT GOVERNOR OF
GUERNSEY (SALARY AND OFFICIAL
EXPENSES) LAW, 1948.”

THE STATES, in pursuance of their Resolution of the 26th day of March, 1947, have approved the following provisions which, subject to the Sanction

1948

of His Most Excellent Majesty in Council, shall have force of law in this Bailiwick:—

1. There shall be paid to the Lieutenant Governor out of the General Revenue of the States of Guernsey (hereinafter called "the Revenue") a salary at the rate of two thousand five hundred pounds a year, free of insular income tax or surtax.

Lieutenant Governor's salary.

2. (1) An annual allocation shall be made from the Revenue of the sum of four thousand five hundred pounds in respect of the following heads of expenditure:—

Annual allocation for certain expenses, etc.

- (a) the expenses of the Lieutenant Governor as regards his official residence and of the establishment maintained by him thereat ;
- (b) the expense of the upkeep, maintenance and repair of the said residence and of the upkeep, maintenance, repair and replacement of the furniture, furnishings and other the equipment used in connection therewith ;
- (c) the payment of the salary and allowances of the Aide-de-Camp to the Lieutenant Governor ;
- (d) the payment of the other expenses of and incidental to the office of Lieutenant Governor, including therein his official travelling expenses, the maintenance and the replacement from time to time of his official motor car, and the official travelling expenses of his Aide-de-Camp.

(2) The allocation of the said sum of four thousand five hundred pounds as between the various heads of expenditure set out in paragraph (1) of this Article shall be made by the Board of Administration of the States of Guernsey (hereinafter called "the Board") in such manner as shall be generally agreed from time to time between the Lieutenant Governor and the Board save that, as respects each of the calendar years 1948 and 1949, a sum of four hundred pounds, and

1948

thereafter, as respects each calendar year, a sum of five hundred pounds, shall be set aside by the Board out of the said sum of four thousand five hundred pounds, and the amount so to be set aside, together with any other unexpended portion of the said sum of four thousand five hundred pounds in respect of any calendar year, shall be placed to the credit of a Suspense Account and shall be used for the purposes and in the manner set out in the next succeeding paragraph.

(3) Any moneys at any time standing to the credit of the Suspense Account referred to in the last foregoing paragraph may be used from time to time at the discretion of the Lieutenant Governor for the repair or decoration of the official residence of the Lieutenant Governor, or for the repair or replacement of, or the addition to, the furniture, furnishings or other the equipment of that residence including the replacement of the official motor car:

PROVIDED that expenditure out of the Suspense Account in excess of One hundred pounds in respect of the repair or decoration of the official residence of expenditure out of the Suspense Account in excess of such amount as aforesaid in respect of the repair or replacement of the furniture, furnishing or other the equipment, including the official motor car, of that residence, or in respect of any addition to the same, shall not be undertaken by the Lieutenant Governor otherwise than in consultation with the Board and with the Board's approval.

Definitions.

3. In this Law—

The expression "Lieutenant Governor" shall mean the person for the time being holding the office of Lieutenant Governor of the Bailiwick of Guernsey.

The expression "residence" shall include any land and out-buildings normally used or enjoyed with the principal dwelling-house of the Lieutenant Governor.

4. The provisions of this Law shall be deemed to have come into force on the 1st day of April, 1947.

1948

Commence-
ment.

(Registered on the Records on the 13th November, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 25th day of October, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD AMMON.

MR. CHANCELLOR OF THE DUCHY OF LANCASTER.

MR. GRIFFITHS.

SIR JOHN SINGLETON.

SIR ALFRED DENNING.

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 October, 1948, in the words following, viz.:—

Elizabeth
College—
Statute 31.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1.—That Elizabeth College in the Island of Guernsey is governed in accordance with Statutes sanctioned by an Order in Council of the 28th December, 1852. 2.—That No. 31 of the said Statutes, as amended by Order in Council of the 3rd December, 1920, provides as follows:—“The Board of Directors shall receive payments from the scholars at a rate not exceeding Twenty Pounds British sterling per annum each, with retrospective effect from the commencement of Michaelmas Term, 1920.” 3.—That the Board of Directors of the said College, by letter dated the 29th July, 1948, addressed to the States through

1948

the States Education Council a request that the said Statute should be so modified as to enable the Board to increase the maximum fee payable by the Scholars from Twenty Pounds sterling to Thirty-six Pounds British sterling per annum each, with effect from the commencement of the Lent Term, 1949. 4.—That at a meeting of the States of Deliberation held on the 22nd September, 1948, the States approved the proposed modification of the said Amended Statute No. 31, and authorised the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to the substitution of Statute 31 set forth in the Schedule hereto for the present Statute 31 of the Statutes of Elizabeth College. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the substitution of Statute 31 set forth in the Schedule hereto for the present Statute 31 of the Statutes of Elizabeth College.’

“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 Statute No. 31 of the Statutes of Elizabeth College, Guernsey, shall henceforward be as set forth in the Schedule hereto.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Statute No. 31 as amended (a copy whereof is set forth in the Schedule hereto), be entered upon the Register of the Island of Guernsey and observed accordingly.

1948

AND the Lieutenant Governor and 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.

E. C. E. LEADBITTER.

SCHEDULE.

MODIFICATION OF AMENDED STATUTE No. 31 OF THE STATUTES OF ELIZABETH COLLEGE, GUERNSEY, REFERRED TO IN THE FOREGOING ORDER IN COUNCIL.

“ 31. The Board of Directors shall receive fees from the scholars at a rate not exceeding thirty-six pounds British sterling per annum each, with effect from the commencement of the Lent Term, 1949.”

(Registered on the Records on the 13th November, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 25th day of October, 1948.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.

LORD AMMON.

MR. CHANCELLOR OF THE DUCHY OF LANCASTER.

MR. GRIFFITHS.

SIR JOHN SINGLETON.

SIR ALFRED DENNING.

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, 1948, in the words following, viz. :—

The Goods and Services (Price Control) Law, 1948.

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolution of

1948

the 23rd day of July, 1947, the States of Deliberation at a meeting held on the 2nd day of April, 1948, considered a Bill or "Projet de Loi" entitled "The Goods and Services (Price Control) Law, 1948", which Bill was designed to apply throughout the Bailiwick of the Island of Guernsey, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2.—That, at a sitting of the States of the Island of Alderney held on the 29th day of April, 1948, the said Bill or "Projet de Loi" was duly considered, when the States decided that they did not wish the said Bill or "Projet de Loi" to apply to Alderney at the present time. 3.—That, at a meeting of the Chief Pleas of the Island of Sark held on the 28th day of April, 1948, the said Bill or "Projet de Loi" was duly considered, when a resolution was passed rejecting the said Bill or "Projet de Loi" as not being adaptable for the Island. 4.—That, in consequence of the above resolutions of the States of the Island of Alderney and of the Chief Pleas of the Island of Sark, the States of Deliberation, at a meeting held on the 30th day of June, 1948, approved of certain amendments to the said Bill or "Projet de Loi" and authorised the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to the said Bill or "Projet de Loi" as so amended. 5.—That the said Bill or "Projet de Loi" as so amended is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Goods and Services (Price Control) Law, 1948", and to order and direct that the same shall have 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.”

1948

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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

“THE GOODS AND SERVICES (PRICE
CONTROL) LAW, 1948”.

THE STATES, in pursuance of their Resolution of the 23rd day of July, 1947, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1948

INDEX.

Article	1	Power to fix maximum prices for goods.
„	2	Power to fix maximum charges for services in relation to goods.
„	3	Sale of second-hand goods.
„	4	Middlemen and brokers.
„	5	Composite offers.
„	6	Holding up stocks.
„	7	Barter, mortgages and pledges.
„	8	Inspectors.
„	9	Furnishing of invoices.
„	10	Accounts and Information.
„	11	Offences in relation to accounts, etc.
„	12	Saving of rights of innocent parties.
„	13	Right of buyer to avoid prohibited transaction or recover excess price.
„	14	Right of person for whom prohibited service is performed.
„	15	Restriction on disclosure of information.
„	16	Offences by corporations.
„	17	General provisions as to offences.
„	18	Powers of the Committee for purposes of this Law.
„	19	Provisions as to regulations.
„	20	Definitions.
„	21	Short title and duration.
Schedule.		Matters to be regarded in fixing controlled prices.

Power to fix maximum prices for goods.

1. (1) The States Committee for the Control of Essential Commodities (hereinafter called "the Committee") may by Regulation fix the maximum price to be charged in the course of a business of any class specified in the Regulation for goods of any description so specified (which said price is hereinafter referred to as the "maximum price"), and it shall be unlawful for any person or body in the course of any such business to sell, agree to sell or offer to sell, any such goods at a price which exceeds the maximum price.

(2) Any such Regulation may fix different maximum prices to be charged in the course of business of different classes for the same description of goods.

(3) Any such Regulation fixing the maximum price to be charged for goods of any description in the course of a business which includes the selling of the goods may require such steps as may be specified in the Regulation to be taken to bring the said price to the notice of persons to whom the goods are offered for sale in the course of the business.

(4) Any such Regulation may, instead of specifying the maximum price, direct that that price shall be computed in such manner and by reference to such matters as may be provided in the Regulation.

(5) If any person or body sells, agrees to sell or offers to sell any goods in contravention of the provisions of paragraph (1) of this Article he shall be guilty of an offence under this Law :

PROVIDED THAT

(a) where it is proved that an offer or agreement made in contravention of the said paragraph has been followed by an agreement or sale so made in pursuance of that offer or agreement, those transactions together shall be taken to constitute a single offence ; and

(b) it shall be a defence for a person charged with a contravention of the provisions of the said paragraph to prove that, in relation to the matter in respect of which he is charged, he acted in the course of his employment as a servant or agent of another person on the instructions of his employer or of some other specified person.

(6) If any of the provisions of any Regulation made by virtue of paragraph (3) of this Article are not complied with as respects any business, the person or body carrying on the business shall be guilty of an

1948

offence under this Law and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine.

(7) (i) Except in the case of goods of a description as to which there is for the time being in force a Regulation made by the Committee directing that this sub-paragraph shall not have effect in relation thereto, this Law shall not apply to a sale, or to an agreement or offer to sell, for an amount fixed by auction.

(ii) This Law shall not apply to a sale of, or to an agreement or offer to sell, goods intended for export otherwise than as packing materials for, or containers of, other goods intended for export, and on a prosecution of a person for a contravention of any of the preceding provisions of this Law, it shall be a defence for that person to prove that he had reasonable cause to believe that the goods in question were intended for export otherwise than as aforesaid.

(8) The Committee may by Regulation prescribe a mark appearing to them to be suitable for indicating that goods to which the mark may be applied

(a) are goods of a description for which a maximum price has been fixed by a Regulation for the time being in force under this Article ;

(b) are offered for sale in the course of a business in relation to which a maximum price has been so fixed ; and

(c) are offered for sale at a price which does not exceed the price so fixed. If any goods so marked do not fulfil in all material respects the conditions set out in sub-paragraphs (a), (b) and (c) of this paragraph, which conditions shall be implicitly warranted by the attachment of the said mark, the person applying such mark or causing the same to be applied to those goods

or offering or selling them with such mark attached, shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding four months or to a fine not exceeding twenty pounds, and in the case of a second or subsequent conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds, and in any case to forfeit to the States of Guernsey the goods in respect of which the offence has been committed.

(9) In fixing a maximum price in respect of any goods under the provisions of paragraph (1) of this Article, the Committee shall so far as practicable have regard to the procedure set out in the Schedule to this Law.

(10) An appeal shall lie against a Regulation made under paragraphs (1) or (4) of this Article to the Royal Court sitting as an Ordinary Court at the instance of any persons appearing to the Court to be manufacturers of, traders in, or buyers of, goods of the description in question :

PROVIDED that an appeal against such a Regulation shall not be entertained unless notice of the intention of the persons appealing to make the appeal is given to the Committee within fourteen days of the date of the publication of the Regulation.

(11) The Court shall have power, on an appeal against such a Regulation as aforesaid, to direct the Committee to revoke the Regulation, or to vary it in such manner as they may direct, and the Committee shall give effect to any such direction.

(12) As soon as may be after making any Regulation under the provisions of this or the next succeeding Article, the Committee shall publish in such manner as they think best for informing persons appearing to the Committee to be likely to be affected a notice specifying the effect thereof.

1948

Power to fix maximum charges for services in relation to goods.

2. (1) The Committee may by Regulation fix the maximum charge to be made, in the course of a business of any class specified in the Regulation for performing, in relation to goods of any description so specified, a service of any description so specified, and it shall be unlawful for any person in the course of any such business, to perform, agree to perform or offer to perform, any such service in relation to any such goods for a charge which exceeds the maximum charge fixed by the Regulation in relation to that business and to those goods.

(2) Any such Regulation may fix different maximum charges to be made in the course of businesses of different classes for the same service in relation to the same description of goods.

(3) Any such Regulation fixing the maximum charge to be made in the course of a business of any class for performing a service may require such steps as may be specified in the Regulation to be taken to bring the said charge to the notice of persons to whom offers are made to perform the service in the course of the business.

(4) Any such Regulation may, instead of specifying the maximum charge to be made in the course of a business of any class for performing any service, direct that that charge shall be computed in such manner and by reference to such matters as may be provided by the Regulation.

(5) If any person performs, agrees to perform or offers to perform, any service in contravention of paragraph (1) of this Article, he shall be guilty of an offence under this Law :

PROVIDED THAT

(a) where it is proved that an offer made in contravention of the said paragraph has been followed by an agreement so made in pursuance of that offer, or that an agreement so made has been performed in contravention of the said

paragraph, those transactions together shall be taken to constitute a single offence; and

1948

- (b) it shall be a defence for a person charged with a contravention of the said paragraph to prove that, in relation to the matter in respect of which he is charged, he acted in the course of his employment as a servant or agent of another person on the instructions of his employer or of some other specified person.

(6) In fixing a maximum price in respect of any services under the provisions of paragraph (1) of this Article the Committee shall so far as practicable have regard to the procedure set out in the Schedule to this Law.

(7) An appeal shall lie against a Regulation made under paragraphs (1) or (4) of this Article to the Royal Court sitting as an Ordinary Court at the instance of any persons appearing to the Court to be persons interested in the performance of services of the description in question:

PROVIDED that an appeal against such a Regulation shall not be entertained unless notice of the intention of the persons appealing to make the appeal is given to the Committee within fourteen days of the date of the Regulation.

(8) The Court shall have power, on an appeal against such a Regulation as aforesaid, to direct the Committee to revoke the Regulation, or to vary it in such manner as they may direct, and the Committee shall give effect to any such direction.

3. (1) If the Committee are satisfied that excessive prices are being charged for second-hand goods of any description, either generally in the Bailiwick of Guernsey or in a particular part thereof, the Committee may by Regulation make provision for prohibiting the sale of second-hand goods of that description in the course of a business carried on in the

Sale of
second-hand
goods.

1948

said Bailiwick or in that part thereof unless the person carrying on the business is registered in accordance with the Regulation.

(2) Any such Regulation shall make provision for enabling the Committee, subject to the right of an aggrieved person to appeal to the Royal Court sitting as an Ordinary Court to refuse to register or to cancel the registration of persons who appear to the Committee to have charged excessive prices for second-hand goods to which the Regulation applies or to have engaged in or been party to any practice which appears to the Committee to have been calculated to raise the prices thereof unduly.

(3) The Court shall have power, on any appeal against a refusal to register any person or against the cancellation of the registration of any person by the Committee under the preceding paragraph, to direct the Committee to register such a person or to restore him to the register, as the case may be, and the Committee shall give effect to any such direction.

(4) If any of the provisions of a Regulation made under this Article are contravened as respects any business, the person carrying on the business shall be guilty of an offence under this Law.

Middle men
and brokers.

4. (1) The Committee may by Regulation make provision, as respects goods of any description to which such Regulation applies, for prohibiting, except under licence and subject to such conditions as may be specified in the licence—

(a) the re-sale otherwise than by retail, in the course of any business which includes the selling of goods of that description, of any goods of that description which have been bought in the course of that business, not being goods imported, or bought from the manufacturer or importer thereof, in the course of that business; and

1948

- (b) the re-sale in the course of any such business of any goods of that description which have been bought by retail in the course of that business :

PROVIDED that no such Regulation shall prohibit the re-sale of goods in the course of any business at a price not exceeding the price at which they were bought in the course of that business.

(2) Where any Order in force by virtue of the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946 provides for controlling the quantity of goods of any description that may be supplied in any period by a person registered under the Order, the Committee may by Regulation make provision for prohibiting (subject to the provisions of any such Regulation) the giving or receipt of any remuneration or reward to or by any person for procuring the sale of goods of that description by a person so registered.

(3) If any of the provisions of a Regulation made under this Article, or any of the conditions specified in a licence issued under such a Regulation, are contravened as respects any business, the person carrying on the business shall be guilty of an offence under this Law, and if any person contravenes any of the provisions of a Regulation made under this Article, he shall be guilty of an offence under this Law.

5. (1) Where a person (hereafter in this paragraph referred to as "the offerer") offers in the course of any business to enter into a transaction for a consideration to be given as a whole both in respect of a matter to which this Article applies and in respect of some other matter (whether or not being or including a matter to which this Article applies), any person to whom the offer is made may require the offerer to state to him in writing—

Composite offers.

- (a) what part of the consideration the offerer assigns to the matter to which this Article applies ; or

1948

- (b) if the matters in respect of which the consideration is to be given are or include two or more matters to which this Article applies, the several parts of the consideration which the offerer assigns to any one or more of those matters.

The matters to which this Article applies are the sale of any price-controlled goods and the performance of any price-controlled service.

(2) The Committee may, at any time within twenty-one days beginning with the day on which any person has offered to enter into such a transaction as aforesaid, by notice in writing require him to make to the Committee such a statement as aforesaid.

(3) Where, in pursuance of a requirement made under this Article, a person making an offer states what part of the consideration he assigns to the sale of any price-controlled goods or to the performance of any price-controlled service, he shall be deemed for all the purposes of this Law to have offered to sell those goods, or to perform that service, for the part of the consideration so stated.

(4) If a requirement made under this Article as respects an offer made in the course of any business is not complied with, the person carrying on the business shall be guilty of an offence under this Law.

Holding up
stocks.

6. (1) If—

- (a) a person carrying on a business in the course of which price-controlled goods of any description are normally sold has in his possession in the course of that business a stock of goods of that description ; and
- (b) the said person, or any person employed by him to sell goods in the course of the business, when asked by any other person (hereafter in this Article referred to as “ the buyer ”) to sell goods of that description or whether he or his employer has such goods for sale—

1948

- (i) refuses to sell the goods, or denies that he or his employer has the goods, or uses any words, or gives any other indication, calculated to lead the buyer to suppose that he or his employer has not got the goods or will not or cannot sell them ; or
- (ii) offers to sell the goods subject to a condition requiring the buying of any other goods (whether price-controlled or not) or the making of any payment in respect of any service, or subject to any other condition, except a condition that the buyer shall pay the price forthwith or take delivery within a reasonable time ;

the person carrying on the business shall be guilty of an offence under this Law.

(2) It shall be a defence for a person charged with any such offence to prove that the sale of the goods, or the sale thereof without the fulfilment of a condition proposed by him or a person employed by him, would, having regard to the quantity of goods which he or that person was requested to sell or any other consideration—

- (a) be contrary to the normal practice of his business ; or
- (b) involve a breach of some obligation lawfully binding on him ; or
- (c) interfere with arrangements made by him for a fair and orderly disposal of his stocks among his regular customers.

7. (1) It shall not be lawful for any person in the course of any business to transfer, agree to transfer, or offer to transfer to another person the property in any price-controlled goods, whether with or without any further consideration, for a consideration which consists of or includes the transfer by that other person of the property in other goods, whether price-controlled or not.

Barter,
mortgages
and pledges

1948

(2) For the purposes of the last foregoing paragraph, references to the transfer by any person of the property in goods shall include references to the transfer of his interest in goods the property in or possession of which he has for the time being transferred to another person as security for a debt.

(3) If any of the foregoing provisions of this Article are contravened as respects any business, the person carrying on the business shall be guilty of an offence under this Law.

(4) Where, in the course of any business, a person transfers, agrees to transfer, or offers to transfer to another person for a money consideration his interest in any price-controlled goods, the property in or possession of which he has for the time being transferred to a third person as security for a debt, he shall be deemed for all the purposes of this Law to have sold, agreed to sell or offered to sell those goods to the second-mentioned person for a price equal to the sum of the following amounts, namely:—

- (a) the amount of the said money consideration ;
- (b) the amount of the said debt and any interest payable thereon ; and
- (c) the amount of any charges payable to the said third person in respect of the goods.

Inspectors.

8. (1) For the purposes of enforcing the provisions of this Law, the Committee may appoint such number of inspectors, and pay to them such remuneration and expenses as the Committee may determine.

(2) An inspector appointed under this Article shall, for the purposes aforesaid, have power at all reasonable times, on production of a certificate of his appointment—

- (a) to enter any premises occupied for the purpose of a business which he has reason to believe to include the selling of any goods or the performance in relation to any goods of any service;

(b) to inspect any goods found on any such premises; 1948

(c) to require any person carrying on or employed in connection with any such business—

(i) to produce to, and to allow to be examined by, him any accounts, books or other documents in the custody or under the control of the person so required, being documents relating to that business the examination of which he may reasonably require for the purpose of enforcement of this Law; and

(ii) to furnish to him any information as respects that business which he may reasonably require for the said purpose.

(3) If any person obstruct or fail to comply with a lawful request of an inspector in the exercise of the powers conferred on him by this Article, he shall be guilty of an offence under this Law, and liable on summary conviction to a fine not exceeding fifty pounds.

9. (1) The Committee may by Regulation make provision for requiring that, where price-controlled goods are sold in the course of a business and bought in the course of another business, the person carrying on the first-mentioned business (hereafter in this Article referred to as “the seller”) shall furnish an invoice to the person carrying on the second-mentioned business (hereafter in this Article referred to as “the buyer”). Furnishing
of Invoices

(2) Any such Regulation may provide—

(a) for the application of the Regulation either to all price-controlled goods or to price-controlled goods of such descriptions as may be prescribed, and either to all businesses or to businesses of such classes as may be prescribed ;

(b) for requiring an invoice furnished under the Regulation to contain the prescribed particulars, being particulars which appear to the

1948

Committee to be material for determining whether Article 1 of this Law has been contravened ;

(c) for requiring the buyer—

(i) in the event of his not receiving an invoice containing the prescribed particulars, to demand such an invoice and inform the seller that he is buying in the course of a business to which the Regulation applies ;

(ii) to give notice to the prescribed person of any failure by the seller to furnish an invoice in accordance with the Regulation ; and

(iii) to preserve for the prescribed period any invoice furnished to him in accordance with the Regulation.

(3) In this Article the expression “ prescribed ” means prescribed by a Regulation made under this Article.

(4) If any of the provisions of any Regulation made under this Article are not complied with by a person carrying on a business, he shall be guilty of an offence under this Law.

Accounts
and
Information.

10. (1) The Committee may—

(a) by notice in writing require any person carrying on a business which includes the selling of any price-controlled goods or second-hand goods or the performance of any price-controlled service ; or

(b) by Regulation require all persons carrying on businesses which include the selling of any price-controlled goods or second-hand goods of a description specified in the Regulation or the performance of any price-controlled service of a description so specified ;

to keep such books, accounts and other records in

1948

relation to the business, and in such form, and containing such particulars with respect to such matters as may be specified in the notice or Regulation.

(2) The Committee may by notice in writing require any person carrying on a business which includes the selling of any goods (whether price-controlled goods or not) or the performance in relation to any goods of any service (whether a price-controlled service or not)—

- (a) to produce to, and allow to be examined by, a person specified in the notice, such books, accounts or other documents in the custody or under the control of the person so required as may be specified or described in the notice, being documents relating to that business the examination of which may reasonably be required for the purposes of this Law ; and
- (b) to furnish to a person so specified such information as respects that business as may reasonably be required for the purposes of this Law.

11. (1) If any person makes default—

- (a) in complying with a notice or Regulation given or made under paragraph (1) of the last foregoing Article ; or
- (b) in producing or furnishing any book, account or other document or any information which he is required under this Law to produce or furnish ;

Offences in relation to accounts, etc.

he shall be guilty of an offence under this Law and shall be liable on summary conviction to a fine not exceeding fifty pounds, and if after being so convicted he continues to make the like default, he shall be guilty of a further offence under this Law and shall be liable on summary conviction to a fine not exceeding fifty pounds for each day on which the default continues after the first mentioned conviction, or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

1948

(2) If any person—

- (a) being required under this Law to produce any book, account or other document, produces with intent to deceive any book, account or other document which he knows to be false in a material particular ; or
- (b) being required under this Law to furnish any information, or in reply to any enquiry made by or on behalf of the Committee with respect to any matter which may affect the exercise of their powers under this Law, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular ;

he shall be guilty of an offence under this Law.

Saving of rights of innocent parties.

12. The illegality by virtue of this Law of any transaction shall not prejudice any rights acquired by any person other than a person who is guilty of a contravention of this Law in respect of the transaction or a person who is liable to punishment by reason of his having aided, abetted, counselled or procured such contravention.

Right of buyer to avoid prohibited transaction or recover excess price.

13. (1) Where a prosecution has been instituted in respect of a sale of, or an agreement or offer to sell any price-controlled goods, in the course of any business at a particular price, and the person charged has been found guilty, then—

- (a) if the prosecution was in respect of a sale or agreement, the buyer under that sale or agreement ; and
- (b) whether the prosecution was in respect of a sale or agreement or of an offer, the buyer under any sale of similar goods, or under any agreement to sell similar goods, effected at the same or a higher price in the course of that business in contravention of paragraph (1) of Article 1 of this Law before the date of the finding ;

shall have the rights hereinafter in this Article set out, exercisable subject as hereinafter provided at his option.

(2) He shall have the right to treat the sale or agreement as avoided, and to recover from the seller, as money received by the seller for his use, any amount paid by him as consideration therefor :

PROVIDED that he shall not be entitled to exercise the right conferred by this paragraph if any rights acquired by a third party would be prejudiced by his so doing, or after the lapse of an unreasonable time from the date of the sale or agreement, or, in the case of a sale, unless he tenders the goods to the seller in substantially the same state as that in which they were when the property passed to him.

(3) He shall have the right to affirm the sale or agreement, but to recover as aforesaid to the extent of any loss sustained by him by reason of the contravention, regard being had to any consideration received or to be received by him for a re-sale of, or an agreement to re-sell, the goods.

(4) Any sum recoverable under this Article shall be recoverable with interest thereon at the rate of five per centum per annum from the date when it was paid.

(5) The rights conferred by this Article shall not be exercisable by a person who is himself liable to punishment by reason of his having aided, abetted, counselled or procured the contravention in question.

14. (1) Where a prosecution has been instituted in respect of the performance of, or an agreement or offer to perform, any price-controlled service in the course of a business for a particular sum, and the person charged has been found guilty, then—

Right of person for whom prohibited service is performed.

(a) if the prosecution was in respect of the performance of, or an agreement to perform, a service, the person for whom the service was

1948

performed or with whom the agreement was made ; and

- (b) whether the prosecution was in respect of the performance of a service or an agreement or offer to perform a service, any person for whom a similar service was performed, or any person with whom an agreement was made to perform a similar service, for the same or a higher charge in the course of that business in contravention of paragraph (1) of Article 2 of this Law before the date of the finding ;

shall have the rights hereinafter in this Article set out, exercisable, subject as hereinafter in this Article provided, at his option.

(2) In the case of an agreement to perform a service no part of which has been performed, he shall have the right to treat the agreement as avoided, and to recover from the person who agreed to perform the service, as money received by that person for his use, any amount paid by him as consideration therefor :

PROVIDED that he shall not be entitled to exercise the right conferred by this paragraph if any rights acquired by a third party would be prejudiced by his so doing, or after the lapse of an unreasonable time from the date of the agreement.

(3) He shall in any case have the right to affirm the performance of the service or the agreement to perform it, but to recover as aforesaid to the extent of any loss sustained by him by reason of the contravention.

(4) Any sum recoverable by virtue of this Article shall be recoverable with interest thereon at the rate of five per centum per annum from the date it was paid.

(5) The rights conferred by this Article shall not be exercisable by a person who is himself liable to punishment by reason of his having aided, abetted, counselled or procured the contravention in question.

15. (1) No information with respect to any particular business which has been obtained under this Law shall, without the consent of the person carrying on that business, be disclosed otherwise than in connection with the execution of this Law :

1948

 Restriction
 on disclosure
 of
 information.

PROVIDED that nothing in this Article shall apply to a disclosure of information made for the purposes of any criminal proceedings which may be taken whether by virtue of this Law or otherwise, or for the purposes of a report of any such proceedings.

(2) If any person discloses any information in contravention of this Article, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and such fine.

16. Where the person convicted of a contravention of any of the provisions of this Law is a body corporate, every person who, at the time of the contravention, was a director or officer of the body corporate shall be deemed to be guilty of that contravention, unless he proves that the contravention was committed without his consent or connivance and that he exercised all such diligence to prevent the contravention as he ought to have exercised having regard to the nature of his functions as a director or officer of that body and to all the circumstances.

Offences by
 corporations.

17. (1) Any person guilty of any offence under this Law for which no other penalty is expressly provided shall be liable—

General
 provisions
 as to
 offences.

(a) on summary conviction, to imprisonment for a term not exceeding three months, or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine ; or

(b) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine not exceeding five hundred pounds, or to both such imprisonment and such fine.

1948

(2) Where any person, not being a body corporate, is charged with an offence under any provision of this Law which expressly provides that the person carrying on a business shall be guilty of an offence under this Law, it shall be a defence to him to prove that the act or default in respect of which he is charged was committed by some other person without his consent or connivance, and that he exercised all such diligence to prevent the commission of the act or default as he ought to have exercised having regard to all the circumstances.

(3) On the third or any subsequent occasion on which a person is found guilty of an offence under this Law, the Court may, on the application of one of the Law Officers of the Crown, make such Order, having effect during such period, as the Court thinks fit for preventing the offender from carrying on, or being concerned directly or indirectly in the carrying on of, the business in the course of which the transaction constituting the offence was effected or any branch of that business, or any business or branch of a business of a similar character; and any person contravening an Order made under this paragraph shall be guilty of an offence and shall be liable—

- (a) on summary conviction to imprisonment for a term not exceeding three months; or
- (b) on conviction on indictment, to penal servitude for a term not less than three years and not exceeding five years.

Powers of the
Committee
for the
purposes of
this Law.

18. (1) Any regulation authorized to be made under this Law by the Committee may be made, and any other thing required or authorized by this Law to be done by, to or before the Committee may be done by, to or before the President of the Committee or any person authorized in that behalf by the President.

(2) Any Regulation made by the Committee under this Law may be varied or revoked by a subsequent Regulation made by the Committee.

1948

(3) The Committee may make Regulations for prescribing the procedure to be followed in relation to anything required or authorized to be done under this Law, otherwise than in relation to proceedings in any Court, and generally for giving effect to the provisions of this Law.

19. Any Regulation made under any provision of this Law shall be exhibited by His Majesty's Greffier in the lobby of the Royal Court for a period of fourteen days. Such exhibition shall be made as soon as reasonably possible after the date of the making of the Regulation. If the States at either of their next two meetings after the expiration of the said period of fourteen days so resolve, that Regulation shall with effect from the date of such resolution be revoked and become void:

Provisions
as to
Regulations.

PROVIDED that no such revocation shall affect

- (a) any right, privilege, obligation or liability accrued, acquired or incurred under such Regulation or part thereof ; or
- (b) any penalty, forfeiture or punishment incurred in respect of an offence committed against such Regulation or part thereof ; or
- (c) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid.

20. (1) In this Law the following expressions have the meanings hereby assigned to them, that is to say—

Definitions.

“ business ”, unless the context otherwise requires, includes a branch of a business ;

“ performance of a price-controlled service ”, in relation to any business, means the performance in relation to goods of any description of a service for the performance of which, in the course of that business and in relation to those goods, a maximum charge has been

1948

fixed by a Regulation for the time being in force under this Law ;

“ price-controlled goods ”, in relation to any business, means goods of a description for which a maximum price has been fixed in relation to that business by a Regulation for the time being in force under this Law ;

“ summary conviction ” means conviction before the Royal Court sitting as an Ordinary Court or before the Police Magistrate ;

“ imprisonment ” means imprisonment with or without hard labour.

(2) References in this Law to the performance of a service in relation to goods include references to the hiring of goods and the subjecting of goods to any process.

(3) References in this Law to a business that includes the selling of goods or goods of any particular description, or the performance of a service, or a service of any particular description, in relation to goods, include references to a business which consists wholly of the selling of goods or goods of that description, or of performing a service, or a service of that description, in relation to goods.

(4) In this Law, references to an offer to sell goods include references to a notification by a person—

- (a) of the price proposed by him for a sale of goods, whether made by the publication of a price list, by exposing the goods for sale in association with a mark indicating price, by the furnishing of a quotation or otherwise howsoever ; or
- (b) of the price proposed by him for goods which he has sold or agreed to sell in such circumstances that the buyer is liable to pay a reasonable price therefor, whether made by furnishing an account or otherwise howsoever,

and references in this Law to an offer to perform a service or to enter into a transaction shall be construed

1948

similarly as including a reference to a notification of the consideration proposed for the service or transaction, whether made before or after the performance of the service or the carrying out of the transaction.

(5) References in this Law to a person carrying on a business include references to a person employed to manage a business by the person carrying it on.

21. (1) This Law may be cited as the Price Control Law, 1948.

Short title
and
duration.

(2) This Law shall continue in force until such date as His Majesty may by Order in Council declare to be the date on which the state of emergency declared in 1939 shall come or came to an end, and shall then expire except as respects things previously done or omitted to be done.

SCHEDULE.

Matters to be regarded in fixing controlled prices.

In fixing a maximum price for goods and services of any description under the provisions of Articles 1 and 2 of this Law the Committee shall determine the same as follows:—

(1) by adding to the price (hereafter in this Schedule called “the basic price”) at which in the ordinary course of business goods of a description similar to the goods in question were offered for sale or services of a similar description were offered to be performed on the 21st day of August, 1939, an amount not exceeding such increase as is reasonably justified in view of changes in that business since the date at which the basic price is to be ascertained. In estimating such amount the Committee may have regard to all or any of the following matters:—

(a) Cost of the provision of materials, whether raw or semi-manufactured, and of stocks of goods, requisite for the carrying on of the business.

1948

- (b) Expense of manufacturing and processing operations.
- (c) Cost of premises and plant, expense of maintenance and improvements thereof, and rent.
- (d) Insurance premiums.
- (e) Wages and salaries.
- (f) Administration and establishment expenses.
- (g) Pensions, benevolent and welfare schemes.
- (h) Liability for duties of customs and excise, rates, and interest on money borrowed.
- (i) Transport charges.
- (j) Expense of advertising, employment of salesmen on commission, and other marketing measures.
- (k) Provision for bad debts.
- (l) The total volume of the business over which the overhead expenses thereof fall to be spread.

(2) If, having regard either—

- (a) to any exceptional circumstances affecting any description of goods or services on the said 21st day of August ;
- (b) to the lapse of time since that day and any resulting difficulty in ascertaining the price at which the goods or services were being offered on that day ; or
- (c) to the fact that goods or services of any description are subject to a seasonal variation in price ;

it appears to the Committee to be expedient that the basic price for such goods or services should be ascertained as at a date other than the said 21st day of August, the Committee may ascertain the basic price therefor as at such date, or in the case of seasonal variations of price as at such different dates in the case of transactions effected at different seasons, as the Committee shall think fit.

(Registered on the Records on the 27th November, 1948.)

1948

The Bailiff having this day placed before the Court three Orders of His Majesty's Treasury entitled respectively :—

Exchange
Control
Orders.

1. " Exchange Control (Definition of Scheduled Territories) (No. 2) Order, 1948 ". No. 2422.
2. " Exchange Control (Payments) (Faroe Islands) Order, 1948 ". No. 2423.
3. " Exchange Control (Specified Currency) Order, 1948 ". No. 2424.

The Court, after having heard His Majesty's Procureur, ordered that the said Orders be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Orders be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 11th December, 1948.)

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 26th day of November, 1948, directing the registration of an Act of Parliament entitled " The Burma Independence Act, 1947,"—the Court, after the reading of the said Order in Council and having heard His Majesty's Procureur, ordered :—

Burma
Independence Act,
1947.

1. That the said Order in Council be registered on the Records of this Island.
2. That a copy of the said Act of Parliament be registered on the said Records by being filed at the Greffe.
3. That an extract of this Act of Court together with a copy of the said Order in Council and of the said Act of Parliament be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

1948

(Registered on the Records on the 18th December, 1948.)

Exchange
Control
(Payments)
(Italy,
Republic of
San Marino
and Trieste)
Order, 1948.

The Bailiff having this day placed before the Court an Order of His Majesty's Treasury entitled "The Exchange Control (Payments) (Italy, Republic of San Marino and Trieste) Order, 1948" (No. 2628)—the Court, after having heard His Majesty's Comptroller, ordered that the said Order be registered on the Records of this Island and that an extract of this present Act together with a copy of the said Order be sent by His Majesty's Greffier to the Judge of Alderney and to the Seneschal of Sark for registration on the Records of those Islands.

(Registered on the Records on the 18th December, 1948.)

Agreement
for Settlement
of
Inter-
Custodial
conflicts
relating to
German
Enemy
Assets.

The Bailiff having this day placed before the Court a printed copy of an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic for the Settlement of Inter-Custodial Conflicts relating to German Enemy Assets—the Court, after having heard His Majesty's Comptroller thereon, ordered that the said printed copy be registered by being filed at the Greffe.

(Registered on the Records on the 30th December, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 22nd day of December, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.
LORD PRESIDENT.
EARL OF LISTOWEL.
MR. SECRETARY HENDERSON.
MR. ALEXANDER.

The
Government
of Alderney
Law, 1948.

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 December, 1948, in the words following, viz.:—

1948

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee a humble Petition of Charles Henry Richards, Lieutenant Judge and Acting President of the States of the Island of Alderney setting forth:—

‘ That at a Meeting of the States of Alderney holden before Your Petitioner on the 1st day of December, 1948, the States considered and adopted a *Projet de Loi* intituled “ The Government of Alderney Law, 1948,” and Your Petitioner was authorised to present in the name of the States a most humble Petition to Your Most Gracious 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 Your Royal Sanction to the said *Projet de Loi* (a copy whereof is hereunto annexed), and to order the same to 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*.”

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

1948

is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant-Governor and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing Order in Council.

PART I.

ARRANGEMENT, INTERPRETATION AND CITATION.

Arrange-
ment of
Parts.

- I. This law is divided into Parts as follows :
 - I. Interpretation, &c.
 - II. General Constitutional Provisions.
 - III. The Court of Alderney.
 - IV. The President and States of Alderney.
 - V. Committees and Officers.
 - VI. Public Property and Public Contracts.
 - VII. Cesser of certain Offices and Provision for their Functions.
 - VIII. Financial Provisions.

Interpre-
tation,
general.

2. In this law the following words and expressions have the meanings respectively assigned to them by this section unless the context otherwise requires :—

“ the appointed day ” means—

in Parts III and VII of this law, the day on which the Court as reconstituted in accordance with this law holds its first public sitting as a full court ;

in Parts IV, VI and VIII of this law, the day on which the States as reconstituted in accordance with this law first meet ;

1948

- “ month ” means a calendar month ;
- “ year ” means a calendar year beginning on the first day of January ;
- “ the Bailiff ” and “ the Royal Court ” mean respectively the Bailiff and the Royal Court of Guernsey ;
- “ the Court ” means the Court of Alderney as reconstituted in accordance with this law, and the expression “ the Clerk ” when associated with a reference to the Court shall be construed accordingly ;
- “ criminal ” includes quasi-criminal ;
- “ the existing States ” means the States of Alderney as existing before they are reconstituted in accordance with this law ;
- “ the States ” means the States of Alderney as reconstituted in accordance with this law, and the expression “ the Clerk of the States ” shall be construed accordingly; and
- “ the Treasurer ” means the person appointed by the States as so reconstituted to be States Treasurer of Alderney or Treasurer of the States of Alderney.

3. References in this law to the Royal Court are to the Royal Court sitting as an Ordinary Court, except in so far as the Royal Court otherwise generally provides by rules of court or in a particular case specially provides.

Interpre-
tation of
references to
Royal Court.

4. This law may be cited as the Government of Alderney Law, 1948.

Citation.

1948

PART II.

GENERAL CONSTITUTIONAL PROVISIONS.

- The Prerogative, and public functions.** 5. Nothing in this law affects His Majesty's prerogative or the powers, rights or duties of a person exercising public functions in Alderney except in so far as the continued exercise of those functions by that person would be inconsistent with this law.
- Existing laws and customs.** 6. Laws and customs which are in force in Alderney shall not by reason of this law be deemed abrogated except in so far as inconsistent with this law.
- Public office.** 7. The holding of public office in Alderney is open to all subjects of His Majesty without distinction of sex or marriage or religion and without reference to the ownership of property or the value of their property.
- Oaths and affirmations.** 8. As from the first day of January, one thousand nine hundred and forty-nine—
- (a) there shall not as a condition of holding public office or for any other public purpose be required an oath or affirmation which is inconsistent with the religious beliefs of a person required to take the oath or make the affirmation, and
 - (b) whenever the law requires the taking of an oath, a person who states to the officer, body, or other person empowered to administer the oath that he conscientiously objects to the taking of an oath shall be entitled to make a solemn affirmation to the same effect as the required oath, and for all legal purposes the consequences attaching to the oath shall attach to the affirmation.
- Reconstitution of States.** 9. (1) The existing States shall be dissolved on the day of the first meeting of the States, and from that day executive and legislative functions exercisable in Alderney including any legislative function which at

1948

the date of this law resides in the Court of Alderney or the Court of Chief Pleas shall reside in the States.

(2) An ordinance of the States may be of the like scope as an ordinance which could heretofore have been made by any authority in Alderney, and such an ordinance shall not unless expressly so provided therein lapse by effluxion of time.

(3) No express provision of this law for the making of ordinances shall be deemed to preclude the making by the States of ordinances consistent with this law for the purpose of implementing the provisions of this law.

10. (1) Judicial functions shall as from the first sitting of the Court be exercised by the Court, subject to the provisions of Part III of this law. Reconstitu-
tion of
Court.

(2) Among the functions of the Court comprised in its civil jurisdiction shall be those assigned to it by this law in succession to officers whose offices cease by virtue of this law, and those assigned to it by this law or by any other enactment relating to the register of voters and the assessment of property.

PART III.

THE COURT OF ALDERNEY.

11. Upon the appointed day the office of Judge and the Court of Chief Pleas shall cease to exist, the *jurés justiciers* or jurats then holding office shall go out of office, the Court of Alderney as existing on the day before the appointed day shall be dissolved, and all civil and criminal jurisdiction which at the date of this law is vested in the Judge, the jurats, the Court of Alderney, or the Chief Pleas shall be exercised in accordance with this law. The Court.

12. (1) It shall be lawful for the Secretary of State to appoint persons to be jurats and on and after the appointed day jurats so appointed shall constitute the Court of Alderney. Appointment
and oath of
jurats.

1948

(2) His Majesty may by Order in Council prescribe a form of oath to be taken by a jurat, and notwithstanding any law or custom a jurat appointed in pursuance of this section shall not be required to take an oath in any different form but before acting in his office shall at a full court take an oath in the prescribed form.

Chairman of Court.

13. (1) By his commission issued in pursuance of the foregoing section or by a separate commission to a jurat so commissioned the Secretary of State may designate a jurat to be chairman of the Court.

(2) If there is for the time being no designated chairman the jurats may select one of themselves as chairman, and if at a sitting of the court neither the designated nor a previously selected chairman is present, or such designated or selected chairman is disqualified from acting as a member of the court, the jurats composing the court shall select a chairman for that sitting.

Legal proceedings &c. to continue.

14. Legal proceedings begun before the appointed day shall not abate by reason of this law, and every recognizance or bail which is in force on the day before the appointed day shall continue and be enforceable.

Term of office of jurats.

15. Jurats shall hold office during good behaviour but shall upon attaining the age of seventy years cease to sit in court or otherwise to act as jurats except in matters, if any, specified by rules of court: Provided that a supplementary commission may be issued to a jurat and may be from time to time renewed authorizing him to continue sitting and acting after attaining the said age for such period as shall be named in the supplementary commission.

Number of Court.

16. (1) Any three or more jurats shall constitute a full court, and whenever practicable the Court shall consist of an uneven number.

1948

(2) The jurat acting as chairman at a sitting of the Court shall have the general conduct of proceedings and if the opinions given by more than three jurats are equally divided the chairman shall determine which of the said opinions shall prevail.

17. (1) Without prejudice to any rule of law or natural justice relating to the exercise of judicial functions, a jurat who is a member of the States shall not act as a member of the Court when it is dealing with a matter to which the States are party, and a jurat who is engaged in an occupation for the carrying on of which a licence is required shall not act when the Court is dealing with any matter relating to the grant, refusal, extension, or withdrawal of a licence, general or special, for carrying on that occupation.

Disability of jurats.

(2) Where proceedings have been initiated at the instance of the States or a committee of the States, the States shall save as provided in this subsection be deemed party to those proceedings within the meaning of this section, but the States shall not within the meaning of this section be deemed party to proceedings relating to the assessment of property for rates or the recovery of rates, or relating to the grant, refusal, extension, or withdrawal of a licence, general or special, applied for by a public officer on behalf of the States.

18. When it appears that by the operation of the foregoing section the Court will be incapable of dealing with a case, the chairman of the Court shall apply to the Bailiff to appoint a person to exercise the powers of the Court in relation to that case, and a person thereunto appointed by the Bailiff shall have all the powers of the Court in relation to that case.

Exercise of powers where all jurats disabled.

19. In matters other than criminal the jurisdiction of the Court shall not be limited by the amount or value of the subject matter.

Extent of civil jurisdiction.

1948
 Extent of
 criminal
 jurisdiction.

20. (1) In criminal matters other than those specifically mentioned in subsection (2) of this section the Court shall have jurisdiction to impose a fine not exceeding ten pounds or imprisonment not exceeding a period of one month without hard labour, as punishment for the offence charged, or both such fine and such imprisonment, or such imprisonment in default of payment of a fine.

(2) Upon a charge of treason, homicide, piracy, rape, arson, theft with violence, fraud or perjury, or of an offence which by the law of Alderney can be punished by a greater penalty than is aforesaid the Court shall if it considers that there is a *prima facie* case for the accused person to answer take depositions of the witnesses in writing and commit the accused person for trial before the Royal Court :

Provided that upon a charge of an offence other than those specifically mentioned in this subsection the Court may itself deal with the offence if it is of opinion that although the charge is proved a penalty greater than is authorized by subsection (1) of this section ought not to be imposed.

(3) Where the Court imposes a sentence of imprisonment it may order that any part of the sentence beyond the first seven days thereof shall be served in Guernsey, if there are in force in Guernsey arrangements for the lawful detention of persons so sentenced.

Appeal to
 Royal Court.

21. All decisions of the Court shall be subject to appeal to the Royal Court :

Provided that—

- (i) In a criminal matter where the Court finds that the prosecution have not established the facts necessary to conviction there shall be no appeal, but where the Court acquits the accused person upon some point of law the Court shall, upon demand by the prosecution,

state a case upon that point in accordance with rules of court for an opinion of the Royal Court ;

1948

- (ii) There shall be no appeal from a decision of the Court—
- (a) in regard to the grant, refusal, extension, or withdrawal of a licence, or
 - (b) upon a matter which by virtue of rules of Court made under this law may be dealt with out of court, or
 - (c) in a matter upon which by this law the decision of the Court is made conclusive.

22. The Court may regulate its own procedure and for the purpose may formulate rules of court which, without prejudice to the continued validity of anything done thereunder, shall not have effect if they are disapproved by the Royal Court or for longer than three months unless they are approved by the Royal Court. Procedure.

23. The Royal Court may from time to time make rules of court for the Court— Rules of Royal Court.

- (a) determining what matters shall be heard by the full Court and what matters may be heard by a single jurat or by a jurat who has attained the age of seventy years but has not received a commission authorizing him to act after attaining that age, so however that no criminal matter and no question in regard to the register of voters shall be dealt with out of court or otherwise than by a full court, and that no matter in regard to the grant, refusal, extension, or withdrawal of a licence to deal in intoxicating liquor or in the nature of litigation between parties shall be dealt with out of court, and

1948

(b) determining the forms of summons to be used for initiating criminal and civil proceedings in the Court.

Clerk of Court.

24. The Court shall appoint a Clerk of the Court whose appointment shall be effective for one month only unless in the meantime it is confirmed and the salary attached to the appointment is approved by the Secretary of State, and when the appointment has been confirmed by the Secretary of State the Clerk shall not be removed from office by the Court nor shall his salary be reduced except with the like approval.

Fees, fines and payments.

25. The Clerk shall furnish to the Treasurer on the first day of every month an account of all fees, fines and other payments received by the Court or by him as Clerk, and of all payments made by him on the Court's behalf, or otherwise in the execution of his office, and shall forthwith pay over to the Treasurer any balance shown in the said account on the said day.

Salaries and wages.

26. (1) The salary of the Clerk and the salary or wages of every other officer or servant of the Court, and all necessary expenses of administering justice in Alderney certified by the Clerk to have been incurred, shall be defrayed by the Treasurer out of the revenues of Alderney, without the necessity of an order or vote or resolution of the States.

(2) The Treasurer shall—

(a) produce a statement of moneys received and expenditure defrayed by him under this section and the foregoing section, since the previous thirty-first day of December, for the information of the finance committee of the States when that committee is preparing the information required by this law to be furnished for purposes of the Guernsey Budget ; and

- (b) bring up to date the said statement to the next ensuing thirty-first day of December, and publish it or an epitome thereof with the financial statement which he is by this law required to publish.

1948

27. (1) Where the States are party to legal proceedings in the Court the Court shall if the Clerk is the same person as the Clerk of the States appoint a person to be temporary clerk for the purpose of the said proceedings, at such a fee as the Court thinks fit, and such fee shall be part of the expenses of administering justice in Alderney.

Temporary
clerk of
the Court

(2) Where proceedings have been initiated at the instance of the States or a committee of the States, the States shall save as provided in this subsection be deemed party to those proceedings within the meaning of this section, but the States shall not within the meaning of this section be deemed party to proceedings relating to the assessment of property for rates or the recovery of rates, or relating to the grant, refusal, extension, or withdrawal of a licence, general or special, applied for by a public officer on behalf of the States.

(3) A person appointed in pursuance of the foregoing provisions of this section or otherwise, as temporary clerk of the Court, shall while acting in place of the Clerk have all powers conferred by law upon the Clerk.

PART IV.

THE PRESIDENT AND STATES OF ALDERNEY.

28. (1) In this Part of this law—

“ the first election ” means the election at which in the year one thousand nine hundred and forty-nine the States are reconstituted by the election of nine members in accordance with this Part of this law ;

Definitions
for Part IV.

1948

“ an ordinary election ” means an election at which members of the States are elected to fill the places of members retiring by the effluxion of time.

(2) Where an election is held in accordance with this Part of this law and there is an equal number of votes for two or more candidates, the returning officer shall, by drawing lots, place those candidates in an order which for the purpose of the election shall be deemed to have been determined by the number of votes they have received.

First elections.

29. (1) The existing States shall fix a date as early in the year one thousand nine hundred and forty-nine as is practicable having regard to the preparation of an electoral roll, for the first election of a President of the States of Alderney, hereafter in this law styled “ the President,” and a date not less than seven days later for the first election as defined in the foregoing section of this law.

(2) The existing States shall appoint a returning officer for the two elections mentioned in this section, and the returning officer shall give public notice of the dates fixed for, and shall have the supervision of, the said election.

Oath of office.

30. His Majesty may by Order in Council prescribe a form of oath of office, to be taken by the President and by members of the States, and before entering on their respective offices the President shall take before the States and members of the States shall take before the President an oath in the prescribed form.

Election of President.

31. (1) The President shall be elected by secret ballot of persons qualified in accordance with this law to vote at an election of members of the States, and unless he dies or resigns or vacates office by reason of the subsequent provisions of this Part of this law shall hold office until his successor enters on the duties of the office.

1948

(2) If a vacancy occurs in the office of President before the normal expiry of his term of office, a special election shall be held to fill the vacancy, unless it occurs after the expiry of two years reckoned from the day of the President's election, in which case the vacancy shall remain unfilled until the next election of a President in the ordinary course.

(3) The subsequent provisions of this Part of this law applying to the conduct of elections, to the nomination of candidates, and to a candidate's intimation of his consent to nomination, shall apply to an election for the office of President.

32. The States as reconstituted in accordance with this law shall consist of nine elected members in addition to the President. **Membership of States.**

33. Members of the States shall be elected by secret ballot, and for the purpose of their election Alderney shall be one constituency. **Election of States.**

34. (1) Not earlier than the seventh day or later than the fourteenth day of December of the year one thousand nine hundred and forty-nine and of every subsequent December an ordinary election shall be held on such day as the States appoint. **Times of subsequent elections.**

(2) In December of the year one thousand nine hundred and fifty-one and in December of every third year thereafter an election shall be held for the office of President, on such day as the States appoint, not less than seven days before the day appointed for the ordinary election in that year.

(3) Upon the occurrence of a casual vacancy among elected members of the States, a by-election shall be held unless the vacancy occurs on or after the first day of October in the third year of office of the member whose office has become vacant, in which case the casual vacancy shall remain unfilled until the ordinary election.

1948
 Returning
 officer.

35. At elections after the first election the Clerk of the States shall be returning officer.

Term of
 office of
 members.

36. (1) For the purpose of securing continuity in administration members of the States shall retire in rotation in accordance with the following provisions of this section.

(2) Of the members elected at the first election the three who receive the smallest number of votes shall retire on the first day of January one thousand nine hundred and fifty, the three who receive the next smallest number of votes shall retire on the first day of January one thousand nine hundred and fifty-one, and the remaining three shall retire on the first day of January one thousand nine hundred and fifty-two.

(3) Subject to the next foregoing subsection, the term of office of a member elected at an ordinary election shall be three years, reckoned from the first day of January next following the December in which he was elected.

(4) A member elected at a by-election shall hold office for the period for which the member into whose place he has been elected would have held office.

(5) Nothing in this section precludes a member from resigning his office or affects any provision of this law dealing with vacation of office by a member.

Voters at
 first election.

37. At the first election the returning officer shall upon request issue a ballot paper to and accept a ballot paper from every person whose name appears in the electoral roll compiled in pursuance of an ordinance made on the twenty-fourth day of November, one thousand nine hundred and forty-eight :

Provided that no person shall be elected unless—

- (i) not less than seven days before the day of the election there has been handed to the returning officer a nomination paper for that person signed by two persons entitled to

receive a ballot paper at the said election, and

1948

- (ii) he has before the day of the election intimated in writing to the returning officer that he consents to the nomination.

38. At a by-election held in the year one thousand nine hundred and forty-nine a person shall be entitled to receive a ballot paper and shall be eligible to be a member of the States who was entitled to receive a ballot paper at the first election.

By-elections
in 1949.

39. (1) For the purpose of elections after the year one thousand nine hundred and forty-nine the Clerk of the States shall prepare and publish annually as nearly as may be on the fifteenth day of October beginning with the year one thousand nine hundred and forty-nine a register of voters in which he shall include the name of every subject of His Majesty who in his opinion has attained the age of twenty years and has had his ordinary place of residence in Alderney for the twelve months immediately before the said day.

Register of
voters.

(2) The manner of making a claim to be included in the register of voters, or to have a correction made therein, the form of that register and the mode of its publication, the latest date for the lodging of objections to the exclusion or inclusion of a name, the form and manner of nomination to be used at elections subsequent to the first election, and the manner of signifying consent to nomination at such subsequent elections, shall be determined by ordinance of the States.

40. (1) For the purpose of an election held after the year one thousand nine hundred and forty-nine the decision of the Clerk of the States that a person is or is not entitled to have his name included in the register of voters, or that a correction is or is not necessary therein, shall be conclusive, unless not later than one month after the publication of the

Objections
to register.

1948

register the inclusion of a name or exclusion of a name or the correctness of the register is challenged by petition to the Court. The decision of the Court on any such petition shall be conclusive and the Clerk of the States shall if necessary amend the register of voters in accordance with it.

(2) A person whose name is included in the register of voters current at the date of an election may be nominated and, if he has signified his consent to nomination, shall be eligible to be elected and to be a member of the States.

**Entry upon
office.**

41. Members of the States elected at the first election or at a by-election shall come into office as soon as the result of the election is declared by the returning officer and members elected at an ordinary election shall come into office on the next ensuing first day of January.

**Vice-Presi-
dent of the
States.**

42. (1) The States may appoint one of their members to preside over their meetings in the absence of the President with the style of Vice-President of the States of Alderney.

(2) At any time when the office of President is vacant or the President is incapable of performing the duties of his office, those duties may be performed by the Vice-President who shall for the purpose of those duties have all powers conferred by law upon the President.

**Chairman-
ship at
meetings.**

43. (1) At a meeting of the States the President or if the President is absent the Vice-President if any, or if both the President and Vice-President are absent such person as the States appoint in respect of a particular meeting, shall preside.

(2) At a meeting of the States the President shall be entitled to take part in discussion, but shall have no vote except a casting vote, to be exercised in the event of an equality of votes.

1948

(3) A person other than the President presiding at a meeting of the States shall have both an original and a casting vote.

(4) The President or Vice-President if appointed to a committee shall not as such preside at a meeting of that committee, but the President shall be entitled to vote at a meeting of a committee to which he is appointed.

44. (1) The President shall vacate his office if he ceases to have his ordinary residence in Alderney, or is absent from Alderney for a period longer than two consecutive months, otherwise than by reason of illness or a cause approved by the States, or is elected a member of the States.

Vacation of office by President and Vice-President.

(2) A Vice-President unless he earlier ceases to be a member of the States or resigns the office of Vice-President shall hold office until the annual meeting of the States next after his appointment to be Vice-President.

(3) The manner of resigning the office of President or Vice-President shall be by letter addressed to the States.

(4) Nothing in this law precludes the election or appointment of an outgoing President or Vice-President for a further term of office.

45. (1) The President shall have precedence in Alderney over all persons except the Lieutenant Governor, a person whom the Lieutenant Governor has named to represent him, the Bailiff, a person performing the functions of the Bailiff, a member of the Royal Family, or a person who directly represents His Majesty :

Precedence of President.

Provided that the President if he is a jurat shall not as President have precedence in Court over other jurats.

1948

(2) If the States place at the disposal of the President an annual or other sum to meet expenditure falling upon him by reason of ceremonial duties of his office, that sum may be expended by him at discretion.

Vacation of
office by
member.

46. A member of the States may at any time resign by giving written notice to the President, and shall vacate his office if he—

- (a) ceases to have his ordinary residence in Alderney or is absent from Alderney for a period longer than two consecutive months otherwise than by reason of illness or of a cause approved by the Assembly, or
- (b) is elected President.

Annual
meeting.

47. (1) As soon as practicable after the first election and after the first day of January in every subsequent year the States shall hold a meeting to be called the annual meeting at which before other business is transacted—

- (a) the oath of office shall be taken by newly elected members, and by the President when the meeting is the first meeting after his election ; and
- (b) the States shall appoint—
 - (i) a finance committee ; and
 - (ii) so long as representatives of Alderney have seats in the States of Guernsey by virtue of legislation in force in Guernsey, two members of the States who shall sit in the States of Deliberation and four persons who shall sit in the States of Election as representatives of Alderney, or such other number as shall be requisite to conform to any such legislation from time to time in force in Guernsey.

1948

(2) The Clerk shall as soon as practicable inform His Majesty's Greffier of Guernsey of the name of every person appointed as a representative under sub-paragraph (ii) in the foregoing subsection, and a representative so appointed shall unless he dies or resigns or ceases to be a member of the States hold office until the next annual meeting after his appointment :

Provided that the States may by ordinance vary the term of office for which such appointments shall be made, and shall fill a casual vacancy among the persons so appointed at the next practicable meeting of the States.

48. (1) If it is made to appear to His Majesty's Attorney General in Guernsey that the President has become disqualified from acting as President, the said Attorney General may move the Royal Court for a declaration of the fact that the office of the President is vacant.

Declaration
of vacation
of office.

(2) Upon its coming to the knowledge of the Clerk of the States that a member has become disqualified from acting as a member, he shall report the fact to the President who shall if satisfied of the fact declare the office of such member to be vacant.

(3) A declaration of the President under the last foregoing sub-section may be the subject of appeal to the Royal Court as if it were a decision of the Court, but unless so appealed against within one month shall be conclusive.

49. Meetings of the States shall be open to the public.

Meetings to
be public.

50. Legal proceedings begun before the appointed day by or on behalf of or against the existing States shall continue as if they had been begun by or on behalf of or against the States, and legal proceedings so begun or continuing as if they had so begun shall

Legal proceedings by
or against
States.

1948

not abate by reason of a vacancy in the office of, or the appointment of a successor to, an officer or person in whose name or against whom they have been begun.

People's
meeting

51. (1) Before every meeting of the States a meeting of the electorate, to be known as a people's meeting, shall be called by a member of the States nominated by the President as convener of the said meeting.

(2) It shall be a duty of the Clerk of the States to attend the said meeting, and assist the convener in informing those present what business is to be transacted at the forthcoming meeting of the States, as shown in the Billet d'Etat, and to give any explanations desired by the said meeting.

(3) A member of the States shall not be bound to vote at a meeting of the States in accordance with views expressed at a people's meeting.

(4) The expenses of calling and holding people's meetings shall be defrayed as part of the expenses of the States.

PART V.

COMMITTEES AND OFFICERS.

Committees,
general.

52. (1) A committee appointed by the States may comprise all or some of the members of the States.

(2) A committee appointed by the States may include members who are not members of the States appointed by the States or co-opted by the committee with the authority of and subject to any restriction imposed by the States :

Provided that—

(i) the finance committee shall not comprise members who are not members of the States;

- (ii) co-opted members of a committee shall not vote upon a proposal for the imposition of a tax or rate or fee or the expenditure of public money ; and
- (iii) a majority of members of a committee shall be members of the States.

(3) A committee shall remain in being for such period not longer than the period elapsing before the next annual meeting after its appointment as at the time of its appointment the States determine :

Provided that—

- (i) a member of a committee may resign his membership of that committee by letter to the States ;
- (ii) a member of a committee who is a member of the States shall cease to be a member of the committee if he ceases to be a member of the States, but without prejudice, subject to the foregoing provisions of this section, to his being appointed by the States as, or being co-opted by the committee as, a member of that committee ;
- (iii) subject to the foregoing provisions of this section the States may at any time appoint, and a committee may at any time co-opt, members to that committee, and this section does not prejudice the right of the States to remove a member of a committee from that committee.

(4) The quorum at a meeting of a committee shall be three members exclusive of co-opted members, or such larger number as the States direct.

(5) The President shall for the purposes of this section be deemed a member of the States.

53. (1) It shall be competent to the States either to name the chairman of a committee or to authorize the committee to appoint a chairman, not being a

Chairman-
ship of
committees.

1948

co-opted member of the committee, and a committee may appoint a deputy chairman, not being a co-opted member of the committee.

(2) The chairman or if the chairman is not present the deputy chairman if any and if neither the chairman nor a deputy chairman is present such person, not being a co-opted member, as the committee appoint in respect of a particular meeting shall preside over every meeting of a committee.

(3) The person presiding at a meeting of the committee shall have both an original and a casting vote.

Delegation to committees.

54. (1) The States may delegate executive functions to a committee on such conditions as to time and manner of reporting the committee's actions to the States and as to the power of the committee to act without prior approval of the States to the committee's actions and otherwise with such restrictions as the States think fit :

Provided that—

- (i) the functions assigned by this law to the finance committee shall not be delegated to any other committee nor shall the States delegate to a committee its duty of examining the finance committee's report in accordance with this law and taking necessary action thereon ;
- (ii) the making of contracts by a committee shall be subject to Part VI of this law ; and
- (iii) a committee shall not enter into an agreement for employing any person except by the week or shorter period, or for the borrowing of money.

(2) A committee which appoints a sub-committee shall not, unless expressly authorized so to do by the States, delegate to the sub-committee a power of acting without prior approval of its actions by the committee.

55. Meetings of a committee appointed by the States for the purpose of executive functions shall be open to the public—

1948

Committee meetings ;
when to be public.

- (a) when the committee is dealing with a matter upon which the committee has power to take action without approval by the States, or
- (b) in any other case if the committee so directs.

56. (1) The States shall appoint a Clerk of the States and a Treasurer and a Surveyor or Clerk of Works.

Principal officers.

(2) When making the appointment of their Clerk, the States shall, unless the person whom they intend to appoint has already been appointed Clerk of the Court, have regard to his suitability to undertake also the office of Clerk of the Court if thereto appointed in accordance with this law, and if at the time when the appointment of Clerk of the States is to be made the Court has been reconstituted in accordance with this law but there is no Clerk of the Court the States shall not make a definitive appointment unless the President or some other person on behalf of the States has consulted the Chairman (if any) of the Court and if there is no Chairman of the Court has consulted two or more jurats, with a view to ascertaining whether the person whom the States intend to appoint as Clerk of the States will be acceptable to the Court as Clerk.

(3) The Clerk of the States shall have his ordinary residence in Alderney and shall devote his whole time to the duties of Clerk of the States and if appointed as such of Clerk of the Court. The Treasurer and the Surveyor or Clerk of Works shall have their ordinary residence in Alderney or Guernsey, and may be persons employed in the Guernsey public service.

1948

(4) The appointment, salary, and dismissal of the Clerk of the States and the Treasurer shall be subject to approval by the Secretary of State.

(5) The Clerk of the States shall in virtue of his office be Clerk of every committee of the States.

Other
officers.

57. (1) Any other appointment which the States think necessary, not being the appointment of a servant at a weekly wage, shall not less than one month before the appointment is to take effect be notified to the States of Guernsey and, if the States of Guernsey consider that the appointment is unnecessary or that the salary will involve an undue burden upon the revenue of Alderney, the States of Guernsey may notify the States accordingly.

(2) If they are so notified the States shall not proceed with the proposed appointment or make an appointment at the proposed salary, as the case may be, unless agreement is reached between them and the States of Guernsey.

Deputy or
temporary
clerk of the
States.

58. A person appointed to be Deputy Clerk or temporary clerk of the States shall while acting in place of the Clerk have all the powers conferred by law upon the Clerk.

PART VI.

PUBLIC PROPERTY AND PUBLIC CONTRACTS.

Receipt for
property.

59. Where property is on or after the appointed day acquired by or on behalf of the States and not vested in a person as trustee for the States or on behalf of the States the receipt of the Clerk of the States shall be a sufficient acknowledgment of its having been received on behalf of the States.

Management
and disposal
of property.

60. (1) Where property is vested in the States, the Clerk of the States shall subject to any direction of the States have all powers necessary to the management and control of that property as agent for the

1948

States, and in so far as thereto authorized by the States all powers necessary to the disposal of that property.

(2) Where property vested in the States or in a person on behalf of the States is disposed of, the proceeds of disposal shall be distinguished by a note in the accounts.

61. (1) The person who on the day before the appointed day is Treasurer of the States shall unless meantime he dies, resigns, or becomes incapable of acting continue to act as interim Treasurer until a Treasurer is appointed by the States in pursuance of this law, and his acts shall have the same validity as if he had been so appointed.

Treasurer
and interim
Treasurer.

(2) The interim Treasurer shall retain all funds lawfully in his possession and receive and disburse moneys falling due to be received or disbursed by him in the normal course of business on behalf of the States as if this law had not been made, and shall account for all such funds and moneys to the States.

(3) If the interim Treasurer dies, resigns, or becomes incapable of acting before the appointment of a Treasurer in pursuance of this law, the powers and duties of the said interim Treasurer shall be exercised and performed by such person as the States direct.

62. (1) A contract made on behalf of the States shall be expressed to be made by the States but shall be signed by the Clerk of the States or such other person as the States may by ordinance from time to time determine or by resolution in a particular case direct, and the signature of the said Clerk or other person shall be sufficient evidence that the contract is the contract of the States.

Contracts.

(2) A contract by which a liability exceeding one hundred pounds is imposed upon the revenues of Alderney shall not be made—

1948

- (a) by the States, unless either fourteen days notice of intention to make the contract has been given in a newspaper published in Guernsey and circulating in Alderney, or the States resolve for some exceptional reason specified in their resolution to make the contract without giving the said notice ;
- (b) by a committee of the States, unless express power to make the contract has been delegated to the committee and the said notice has been given by the committee, or
- (c) by the Court, unless the States have been informed of the intention to make the contract at least seven days before the day of their last previous meeting, and the said notice has been given by the Court.

PART VII.

CESSER OF CERTAIN OFFICES AND PROVISION FOR THEIR FUNCTIONS.

The Procureur du Roi.

Procureur
du Roi.

63. (1) The office of Procureur du Roi shall cease to exist on the appointed day :

Provided that a person who on the appointed day is performing any function of the Procureur du Roi which notwithstanding the provisions of this law requires to be performed thereafter shall unless he dies or resigns his office continue to perform that function for twelve months from the appointed day or until such earlier date as the Court directs, being a date on which provision for performance of that function has been made in accordance with the provisions of this law, and the Court may direct different dates for different functions.

(2) Licences or permits hitherto issued by the Procureur du Roi shall unless provision is otherwise

made by law or by ordinance of the States be issued by the Clerk of the Court :

1948

Provided that—

- (i) the refusal of such a licence shall be subject to appeal to the Court ;
- (ii) the Clerk may with the approval of the Court arrange for any class of licence to be issued by the Treasurer or by a public officer acting on behalf of the States of Guernsey, or to be issued on behalf of the Clerk by an officer of police of Guernsey.

(3) Where the law provides for withdrawal or cancellation of a licence or permit to which the foregoing subsection refers, such withdrawal or cancellation shall be a function of the Court.

(4) The States shall by ordinance determine to what officer in Alderney functions assigned by law to the Procureur du Roi shall be assigned, being functions requiring to be performed after the appointed day and not assigned by this law to the Court or to any other person, and such functions shall as from the date fixed by or by virtue of the proviso to subsection (1) of this section be functions of the office of that officer. Provided that there shall not be assigned to such officer any function of controlling the police or special constables.

(5) The salary of such officer shall be deemed to cover the performance of the said functions, and any fees accruing to him by way of remuneration for performing the said functions shall be accounted for by him and paid to the Treasurer in aid of the revenues of Alderney.

(6) Without prejudice to any provision of this law authorizing any person, or to any power of the States to authorize or require any person, to institute a prosecution, it shall be lawful for one of the Law Officers of Guernsey or for an officer of the police of

1948

Guernsey to initiate before the Court such public prosecutions as would before the appointed day have been initiated by the Procureur du Roi.

The Greffier.

Greffier.

64. (1) The office of greffier shall cease to exist on the appointed day and as from that day keeping the record of legislation and registering laws therein shall be a function of the Court :

Provided that a person who on the appointed day is performing the aforesaid function of the greffier shall unless he dies or resigns his office continue to perform that function for twelve months from the appointed day or until such earlier date as the Court directs, being a date on which in the opinion of the Court that function may conveniently begin to be undertaken by the Court in accordance with the provisions of this law.

(2) All other functions of the greffier which notwithstanding the provisions of this law require to be performed thereafter (being functions which are obligatory on the greffier in virtue of his office) shall be performed by the Clerk of the Court unless the States by ordinance determine that such a function shall be performed by some other officer.

(3) The salary of such Clerk or other officer shall be deemed to cover the performance of the said functions, and any fees accruing to him by way of remuneration for performing the said functions shall be accounted for by him and paid to the Treasurer in aid of the revenues of Alderney.

The Constables.

Constables.

65. (1) The offices of constable and deputy constable shall cease to exist on the appointed day, and every person who on the appointed day is a constable, deputy constable, or special constable shall on that

day become a special constable by virtue of this law without the necessity of his taking any oath in that behalf.

(2) The Court shall have power after consulting the Chief Officer of Police in Guernsey to appoint special constables, and to prescribe an oath not inconsistent with the provisions of Part II of this law which special constables so appointed shall take before entering upon the duties of a special constable.

(3) As from the appointed day a special constable desiring to resign his office may do so by letter addressed to the Court and the Court shall have power to remove a special constable from office.

(4) The duties of a special constable shall include the duty of assisting any officer of the police of Guernsey who is on duty in Alderney.

(5) If the Court so orders, special constables shall for purposes of training and of the issue to them and recovery from them of badges or other equipment be subject to direction by the Chief Officer of Police in Guernsey.

The Douzaine.

66. (1) The institution and subject to the provisions of this law the functions of the douzaine shall cease to exist on the appointed day and all douzeniers shall then go out of office : Douzaine.

Provided that a douzenier in office on the day before the appointed day who before the appointed day has notified the Judge or Court of his willingness to continue shall unless he dies or retires or becomes incapable of acting continue to perform the functions to which this section applies until such date as the Court directs, being a date upon which in the opinion of the Court the functions of the douzaine to which this section applies can conveniently be undertaken by the Court.

1948

(2) The functions to which this section applies are such functions relating to the inheritance of real property as are exercisable by the douzaine on the day before the appointed day.

(3) Notwithstanding any law or custom by which the quorum of the douzaine has been hitherto determined, the Court may fix a quorum of douzeniers acting in pursuance of this section.

(4) Any records of the douzaine for the keeping of which this law does not otherwise provide shall be kept by such person as is determined by the douzeniers acting in accordance with the proviso to subsection (1) of this section, or in default of such determination by a person nominated by the Court, and when the said douzeniers have ceased to act shall be transferred to and maintained by the Clerk of the Court.

The Sheriff and the Sergeant.

**Sheriff and
Sergeant.**

67. The offices of sheriff and sergeant shall cease to exist on the appointed day, and as from that day functions assigned by law to either office shall be functions of the Clerk of the Court, subject nevertheless to its being lawful and in point of law effective for him to arrange from time to time that service of process and any other function of the sheriff or the sergeant shall be exercised under his general direction by such officer of police or special constable or other person, and at such fee or periodical remuneration, as the Court may order or the States may by ordinance determine.

The Poor Law Board.

**Poor Law
Board.**

68. The Poor Law Board existing on the appointed day shall then go out of office and no Poor Law Board shall thereafter be elected.

PART VIII.

1948

FINANCIAL PROVISIONS.

69. Not later than the last day of August in every year, the finance committee appointed in pursuance of this law shall with the assistance of the Treasurer prepare a statement showing the expenditure which the finance committee considers it to be necessary for the States to incur in the ensuing year, and as soon as practicable after the said day the States shall hold a meeting to be called the budget meeting, and shall cause the aforesaid statement, with such comments as they think proper, to be transmitted to the Bailiff with a view to its consideration with the Guernsey budget. **Budget statement.**
70. The Treasurer shall as soon as practicable in the year one thousand nine hundred and forty-nine and not later than the seventh day of March in every subsequent year publish in Alderney a statement of the revenue of Alderney for the previous year. **Annual financial statement.**
71. (1) Capital and revenue accounts in such form as the States prescribe shall be kept of the property of the States and the revenue of Alderney, including an account of moneys received by and moneys expended by or on behalf of the States by public bodies and public officers. **Accounts and audit.**
- (2) The said accounts shall be made up to such date as the States direct and shall be submitted for audit to an auditor appointed by the States.
- (3) A person shall not be qualified to be auditor who is a member of the States or holds a public office in Alderney other than that of special constable, but subject to this provision the auditor shall hold office for such period as is specified in his appointment.
- (4) The remuneration by way of salary or fees specified in the auditor's appointment, and the necessary expenses of preparing the auditor's report

1948

and publishing an epitome thereof, shall be a debt from the States due to the auditor as soon as his report has been presented and an epitome thereof published as required by this section, and shall without the necessity of an order or vote or resolution of the States be defrayed by the Treasurer from the revenues of Alderney.

(5) It shall be the duty of the Treasury to ensure that accounts are prepared and submitted to the auditor by every person who on behalf of the States receives or expends money or has the control or management of property.

(6) The auditor shall as soon as possible after his audit is completed submit a report thereon to the States and shall publish an epitome of the said report in Alderney.

(7) It shall be the duty of the auditor to call attention in the said report to any item of expenditure which appears to him not to be supported by legal authority.

(Registered on the Records on the 30th December, 1948.)

AT THE COURT AT BUCKINGHAM PALACE,

The 22nd day of December, 1948.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY.
LORD PRESIDENT.
EARL OF LISTOWEL.
MR. SECRETARY HENDERSON.
MR. ALEXANDER.

The
Alderney
(Application
of
Legislation)
Law, 1948.

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 11th day of December, 1948, in the words following, viz. :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th

1948

day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1.—That, in pursuance of their Resolution of the 5th day of November, 1948, the States of Deliberation at a meeting held on the 26th day of November, 1948, considered a Bill or “*Projet de Loi*” entitled “*The Alderney (Application of Legislation) Law, 1948,*” which Bill is designed to apply to the Islands of Guernsey and Alderney, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2.—That, in pursuance of their Resolutions of the 16th day of July, 1948, and of the 27th day of October, 1948, the States of the Island of Alderney at a meeting held on the 1st day of December, 1948, considered the said Bill or “*Projet de Loi,*” when a resolution was passed approving the same. 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 might be graciously pleased to grant Your Royal Sanction to the Bill or “*Projet de Loi*” of the States of Guernsey entitled “*The Alderney (Application of Legislation) Law, 1948*” and to order and direct that the same shall have force of law in the Islands of Guernsey and Alderney.’

“ 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

1948

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 Islands of Guernsey and 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 and 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.

E. C. E. LEADBITTER.

Projet de Loi referred to in the foregoing
Order in Council

PROJET DE LOI

ENTITLED

“ THE ALDERNEY (APPLICATION OF LEGIS-
LATION) LAW, 1948 ”.

WHEREAS it has been agreed between the States of Guernsey and the States of Alderney that financial and administrative responsibility for certain public services (hereinafter in this Law referred to as “ the transferred services ”) in the Island of Alderney should be assumed by the States of Guernsey :

1948

AND WHEREAS it has been further agreed between the States of Guernsey and the States of Alderney that the States of Guernsey shall be empowered to extend to the Island of Alderney such legislation as may be necessary or expedient for the working of the transferred services, and that certain taxes, licence fees, impôts and duties leviable in the Island of Guernsey shall be leviable by the States of Guernsey in the Island of Alderney :

NOW THEREFORE the States of Guernsey, in pursuance of their Resolution of the 5th day of November, 1948, and the States of Alderney, in pursuance of their Resolutions of the 16th day of July, 1948, and of the 27th day of October, 1948, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey and Alderney.

1. (1) The provisions of any enactment now or hereafter in force in the Island of Guernsey relating to any of the subjects set forth in the Schedule to this Law may be extended by Guernsey Ordinance to the Island of Alderney with effect from such date as may therein be specified not being earlier than the 1st day of January, 1949, with such exceptions, adaptations and modifications, if any, as may be specified therein, and any such Ordinance may be varied or revoked by a subsequent Ordinance.
- (2) The concurrence of the States of Alderney in any Law initiated by the States of Guernsey or any Guernsey Ordinance either of which relates to any of the subjects set forth in the said Schedule shall not be required for the effectual operation thereof in the Island of Alderney after the 31st day of December, 1948.

Extension of
enactments
to Alderney.

1948

Taxes, etc.
to be leviable
by States of
Guernsey in
Alderney.

2. On and after the 1st day of January, 1949, the taxes, licence fees, impôts and duties (other than Tonnage Dues and Wharfage) leviable by the States of Guernsey from time to time in the Island of Guernsey shall be leviable by the States of Guernsey in the Island of Alderney at the rates from time to time operative as regards the same in the Island of Guernsey and the product thereof shall accrue to the States of Guernsey, and the provisions of every Law from time to time in force in the Island of Guernsey and of every Guernsey Ordinance and Resolution of the States of Guernsey made in pursuance of any such Law and from time to time in force in relation to any such tax, licence fee, impôt or duty, shall extend so as to have effect in the Islands of Guernsey and Alderney as though those Islands were one :

PROVIDED always that any such Law or Ordinance shall have effect in the Island of Alderney subject to such exceptions, adaptations and modifications, if any, as may from time to time be specified by Guernsey Ordinance.

Occupier's
Rate to be
leviable by
States of
Alderney.

3. On and after the 1st day of January, 1949, the States of Alderney, for the purpose of raising revenue towards financing the services for which the States of Alderney will continue to be responsible, shall levy an Occupier's Rate in each calendar year at a rate equivalent to the average of the Occupier's Rates levied in the then preceding calendar year by the Parishes (excluding the Parish of Saint Peter Port) of the Island of Guernsey (an average comprising a fraction of a halfpenny being taken at the halfpenny next below) and provision may be made by Alderney Ordinance for declaring the incidence of such Occupier's Rate and for providing for the collection thereof.

Assessment
of rateable
value of real
property in
Alderney.

4. Provision may be made by Guernsey Ordinance for empowering the States of Guernsey Cadastre Committee, during such period or periods after the

1948

31st day of December, 1948, as may, from time to time, be agreed between the States of Guernsey and the States of Alderney, to assess the rateable value of real property situate in the Island of Alderney and from time to time to rectify the assessment of the rateable value of any such property and for extending to the Island of Alderney the provisions of any Cadastre Law from time to time in force in the Island of Guernsey with such exceptions, adaptations and modifications as the Ordinance shall prescribe and any such Ordinance may be varied or revoked by a subsequent Ordinance.

5. In any case where the law of the Island of Alderney is in conflict with any provision of a Law, Ordinance or Resolution, extended to that Island by or by virtue of this Law, the latter provision shall prevail.

**Conflict of
Laws, etc.**

6. The Agreement of the 11th day of March, 1925, between the Royal Court of Guernsey and the Court of Alderney, approved by His Majesty in Council and registered on the Records of the Island of Guernsey on the 13th day of February, 1926, is hereby amended by substituting in clause 4 thereof for the words "Royal Court", wherever the same occur, the words "States of Guernsey Legislation Committee":

**Amendment
of Agree-
ment between
Royal Court
of Guernsey
and Court of
Alderney.**

PROVIDED that the provisions of this section shall not come into operation until the day following the date of the Guernsey Chief Pleas after Christmas, 1948.

7. The Import Duties Act (Bailiwick of Guernsey), 1932, shall have effect henceforth subject to the following modifications:—

**Amendment
of Import
Duties Act
(Bailiwick of
Guernsey),
1932.**

For the definition of the expression "Appropriate Authority" therein contained there shall be substituted the following definition:—

" 'Appropriate Authority' means the States Supervisor in the Island of Guernsey and includes his authorised subordinates."

1948

The provisions of Section 2 of the said Act relative to the despatch of Orders made under that Act to the President of the States of Alderney, to the bringing of every such Order before the States of Alderney, to the postponement of the operation in Alderney of any such Order, to the cessation of operation of any such Order in Alderney, to the publication of Resolutions of the States of Alderney in relation to any such Order and to the duty of His Majesty's Greffier in the Island of Alderney to forward a certified copy of every such Resolution to His Majesty's Greffier in the Island of Guernsey, shall cease to have effect.

So much of Sections 18 and 19 of the said Act as require the Appropriate Authority to make payments into the Revenue of the Island of Alderney or to credit any amount to the Treasurer of the States of Alderney shall cease to have effect.

For Section 36 of the said Act, there shall be substituted the following Section :—

“ 36. Provision may be made by Guernsey Ordinance for the purposes of carrying this Law into effect throughout the Bailiwick.”

SCHEDULE.

*Subjects in respect of which Guernsey Legislation
may be extended to Alderney.*

Airfield.
Education.
Health Services.
Immigration.
Police.
Major Roads and Main Sewerage.
Social Services.
Water Supply.