

# RECUEIL D'ORDONNANCES

DE LA

Cour Royale

DE

L'ILE DE GUERNESEY

RÉDIGÉ SOUS L'AUTORITÉ DE LA DITE COUR.

PAR

W. H. ARNOLD, PROCUREUR DU ROI

TOME VII



1932 - 1949

GUERNESEY:

IMPRIMÉ ET PUBLIÉ AUX FRAIS DES ETATS,

PAR

THE GUERNSEY PRESS CO., LTD.

—  
1951.

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# RECUEIL D'ORDONNANCES

DE LA

## COUR ROYALE DE GUERNESEY

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*Le 4 avril 1932, par devant Arthur William Bell, écuyer,  
Baillif, présents, etc.:* 1932

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### **Egouts, Rouge Rue—Petit Bouet**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port, de construire une longueur d'égot dans la dite paroisse à partir de la jonction de la Rouge Rue et la route dite "St. John's Road" jusqu'au Petit Bouet le tout aux fins de l'Article IV de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 18 juin 1932, par devant Arthur William Bell, écuyer,  
Baillif, présents, etc.:*

### **La Chapelle Siloe licenciée pour Mariages**

La Chapelle dite "Siloe," située en la paroisse de Saint Samson, a ce jour été licenciée pour la célébration de Mariages.

### **Eglise St. Barnabé, fidéi-commis**

Sur le remède demandé par le Très Révérend Agnew Walter Giles Giffard, M.A., Recteur de la paroisse de Saint Pierre Port et Cecil Augustus Carey et Charles d'Auvergne Collings, écuyers, Curateurs du Trésor de

1932

l'Eglise de la dite paroisse et en cette qualité Fidéi-Commissaires du Fonds de Dotation et de Réparation de la ci-devant Eglise de Saint Barnabé située à la Tour Beauregard en la dite paroisse de Saint Pierre Port, ayant par leur Requête en date du 23 avril 1932 prié la Cour leur permettre de modifier les termes et conditions d'un anglicé "Indenture," en date du 28 août 1874 par lequel le dit Fonds fut placé en fidéi-commis et ses objets furent spécifiés ainsi qu'il est narré dans la dite requête, et ce dans le but de garder le dit Fonds en fidéi-commis dans le Trésor de l'Eglise de la dite paroisse de Saint Pierre Port et d'en appliquer le revenu annuel aux besoins de la dite Eglise, et la Cour par son acte du 11 juin 1932 ayant accordé les fins de la dite requête—La Cour a approuvé l'acte qu'ils ont préparé pour assurer l'accomplissement de ce que dessus et lequel est dans les termes suivants:—

TO ALL TO WHOM THESE PRESENTS  
SHALL COME

WE

THE VERY REVEREND AGNEW WALTER GILES GIFFARD, M.A., and CECIL AUGUSTUS CAREY and CHARLES D'AUVERGNE COLLINGS, Rector and Churchwardens of the Parish of Saint Peter Port and as such Trustees of the Endowment Fund of the Church of St. Barnabas

SEND GREETING

Endowments  
to be  
applied for  
maintenance  
of Divine  
Worship  
in parish  
of St.  
Peter Port

Whereas on the occasion of the building of Saint Barnabas Church a sum of One thousand and fifty-four pounds (£1,054) was raised by voluntary public subscription and was invested in the purchase of £1,150 Stock of the States of Guernsey and whereas by Deed dated the 28th day of August 1874 the said parcel of stock was handed over to the Reverend Richard James

1932

Ozanne and Messieurs Edgar MacCulloch and Peter Le Lièvre to constitute an Endowment for the said Church in Trust to employ the interest dividends and annual income thereof towards payment of the salary of the Minister for the time being of the said Church or towards defraying the expenses incident to the performance of Divine Worship in the said Church in such manner as the said Trustees shall deem from time to time most fitting and whereas on a Petition by the President of the States of this Island and by the Trustees of the said Church, to His Majesty in Council praying that the said Church might be secularised, the said Privy Council did grant the prayer of the said Petition and Whereas the Trustees of the said Church did agree to hand over the said Building to the States of the said Island on the sole condition that its future occupation and destination should be decided with due regard to its past associations and traditions And whereas the said Church has been transferred to the said States of Guernsey by contract dated the ninth day of April 1932 and whereas it became necessary to deal with the Endowment Funds connected with the said Church—We, as Trustees aforesaid presented a “Requête” to the Royal Court of this Island praying the Court to vary the conditions of the aforesaid Trust so that the said Endowment Fund should vest in the Trésor of the Mother Church of Saint Peter Port, to be held for such purposes as are governed by the Law and Custom as authorised uses for the Trésor Funds, that is to say for the upkeep of Divine Service in the Mother Church. And whereas the consideration of the Petition came before the Royal Court on the eleventh day of June 1932 after due notice had been given to the public by advertisements in the local newspapers. And whereas the Royal Court did grant the prayer of the Petitioners by Act and in the form following:

“Le 11 juin 1932—La Cour, ouies les conclusions des Officiers du Roi a accordé les fins de la dite requête, nul ne s'étant présenté pour s'y opposer.”



de cette Ile le 7 septembre 1929, en vertu d'un Ordre de Sa Majesté en Conseil en date du cinq juillet mil neuf cent vingt-neuf.

1932

Attendu qu'en vertu des dispositions du dit Acte faisant provision pour l'union des églises, associations ou dénominations religieuses dites respectivement "the Wesleyan Methodist Church," "the Primitive Methodist Church," et "the United Methodist Church," dans une seule église ou dénomination sous le titre de "The Methodist Church," la dite union fut achevée à une réunion des dites dénominations tenue à Londres le 20 septembre 1932.

La Cour a statué que tout édifice qui est licencié à l'effet de pouvoir y célébrer les mariages, étant désigné comme lieu de dévotion de l'une quelconque des dites ci-devant églises ou associations "the Wesleyan Methodist Church," "the Primitive Methodist Church," ou "the United Methodist Church," sera dorénavant désigné comme lieu de dévotion de l'église, ou association ou dénomination religieuse dite "the Methodist Church," et ce pour les besoins des records et certificats tenus et livrés concernant la licence de tel édifice, et les mariages y célébrés en vertu de telle Licence.

Désignation  
de certains  
édifices

*Le 19 novembre 1932, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

#### Ordonnance relative aux Jours Fériés

Attendu que le jour de Noël ainsi que le jour de l'An prochains tombent respectivement le Dimanche;

La Cour, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne:—

1.—Mardi le 27 décembre prochain et Lundi le deux janvier 1933 seront des jours fériés.

Jours  
fériés

2.—Le Bureau du Greffe sera fermé les dits jours mais le bureau du Registraire restera ouvert depuis neuf heures du matin jusqu'à dix heures du matin.

Bureau  
du Greffe

- 1933  
 Lettres de change et billets à ordre  
 Connaissance de non-paiement
- 3.—Toutes lettres de change ou billets à ordre qui deviendront dus et payable a l'un ou l'autre des dits jours seront payables le lendemain, et en cas de non paiement pourront être notés et protestés le dit lendemain.
- 4.—Lorsque connaissance devrait être donnée de non paiement d'une lettre de change ou d'un billet à ordre sur un des dits jours fériés, connaissance sera donnée le lendemain.

*Le 10 juin 1933, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Ordonnance corrigeant une erreur dans l'Ordonnance relative à l'usage des Machines dites " Slot Machines " et aux Paris, du 18 janvier 1932**

Les Officiers du Roi ayant informé la Cour que dans l'imprimé en date de 1932 contenant le Tome VI. du Recueil d'Ordonnances de la Cour Royale une erreur se trouve dans l'impression de l'Ordonnance relative à l'usage des machines dites " Slot Machines " et aux Paris à la page 179, en ce que dans la dernière ligne de l'alinéa (1) de l'Article 1 de la dite Ordonnance les mots " of service or " ne sont pas dans l'ordre voulu lequel était actuellement " or service of " ainsi qu'il paraît dans la dite Ordonnance ainsi qu'elle fut passée.

En conséquence de ce que dessus la Cour, ouïes les conclusions des dits Officiers du Roi, a ordonné que la dite erreur sera corrigée dans le dit imprimé à l'effet de faire lire les dits mots dans leur ordre juste c'est-à-dire " or service of."

*Le 29 juin 1933, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Ordonnance différant le règlement des droits Seigneuriaux qui peuvent exister sur les cables, lampes publiques et poteaux compris dans le transfert aux Etats de l'entreprise de la production et la fourniture de l'Electricité**

Le Conseil Administratif des Etats ayant représenté à la Cour que—

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(1) L'entreprise de la production et la fourniture aux habitants de cette Ile de l'électricité pour l'éclairage, l'échauffement et la force motrice conduite par la Société dite "Guernsey Electric Light and Power Company Limited" de cette Ile, doit être transférée aux Etats le premier juillet mil neuf cent trente-trois, avec le bien mobilier et immobilier y appartenant.

(2) Parmi le bien à être transféré comme dessus se trouvent à divers endroits de l'Ile et dans les territoires de divers Fiefs tous les cables placés sous terre par la dite Société et aussi des lampes publiques et poteaux lesquels cables, lampes et poteaux à certaines fins, pourraient être censés biens immobiliers.

(3) En vertu des Ordonnances de la Cour Royale il est prohibé à tous Juges quelconques de passer aucuns contrats de vente d'héritage avant que le congé des Seigneurs des Fiefs dont les dits héritages sont mouvants ne leur ait suffisamment paru, et que les noms de ceux auxquels serait dû le treizième ne soient spécifiés dans les dits contrats.

(4) Le Seigneur d'un des dits Fiefs a fait envoyer le dix-neuf de ce mois de juin, une intimation inattendue, à l'effet que, à l'égard des cables se trouvant dans le territoire de son Fief, son congé pour leur transfert doit être obtenu moyennant paiement des droits accoutumés.

(5) Dans le temps qui rest à courir jusqu'au premier juillet prochain il est impossible de constater la proportion des cables, lampes et poteaux qui se trouve dans le territoire de chacun des dits Fiefs ni la valeur d'icelle ni le montant payable à chaque Seigneur pour son congé pour l'acquêt des cables, lampes et poteaux dans son Fief, en supposant que tel congé doit être obtenu pour tel acquêt (ce que le Conseil n'admet pas) et que les limites territoriales de tels Fiefs respectivement soient connues.

(6) L'intérêt public exigeant que le contrat pour le dit transfert soit passé à la dite date, le dit Conseil, ne

1933

voulant pas d'un côté mépriser les droits que les dits Seigneurs peuvent avoir dans cette matière et voulant de l'autre côté réserver le droit de contester tels droits qui, de leur avis, n'existent pas dans le cas actuel, a prié la Cour Royale d'indiquer la procédure à suivre afin que les droits et intérêts de tous et un chacun tant publics que privés par rapport au dit transfert soient sauvegardés.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Le Greffier  
autorisé  
à recevoir  
£1,765 9s. 7d.

1.—Le Greffier du Roi est autorisé à recevoir du dit Conseil et, lorsqu'offerte, recevra du dit Conseil et gardera en dépôt, la somme de Mille sept cent soixante cinq livres neuf chelins sept pennis sterling étant deux pour cent sur le prix de l'acquêt des dits cables, lampes et poteaux, et ce afin d'assurer le paiement de ce qui pourra être trouvé redevable aux dits Seigneurs par rapport au dit acquêt.

Le Baillif et  
les Jurés  
autorisés  
à signer  
le contrat

2.—Nonobstant les dispositions des Ordonnances relatives au paiement des droits Seigneuriaux et à la production de congé Seigneurial lors de la passation de contrats d'acquêt d'immeubles Monsieur le Baillif ou Monsieur son Lieutenant et Messieurs les Jurés sont autorisés à signer le contrat pour l'acquêt des dits cables, lampes et poteaux sans exiger la production de congé Seigneurial à cet effet, sur la déclaration du Greffier du Roi que la dite somme est déposée entre ses mains.

Permis passer  
contrat sans  
production  
de congé

3.—Il est permis au dit Conseil de passer le dit contrat sans en même temps produire congé Seigneurial portant acquit du treizième et seront le dit Conseil et la dite Société exempts de toute pénalité et nullité qui pourraient autrement être encourues en ce faisant.

Le Conseil  
fera  
déterminer  
les droits  
Seigneuriaux

4.—Le dit Conseil fera déterminer par toute voie de droits la question des droits Seigneuriaux par rapport à l'acquêt des dits cables, lampes et poteaux, et ce qui sera trouvé redevable aux dits Seigneurs respectivement au

taux coutumier en quittance du treizième leur sera payé hors de la dite somme entre les mains du Greffier du Roi, et sur tout et tel paiement fait le congé propre en la matière sera livré au Greffier du Roi pour le compte du dit Conseil. Et sera toute somme restant entre les mains du Greffier du Roi après satisfaction ou vuidement des réclamations Seigneuriales par rapport au dit acquêt versée par lui entre les mains du dit Conseil pour le compte des Etats.

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*Le 15 juillet 1933, par devant Arthur William Bell, écuyer, Baillif, présents, etc.*

#### **Egouts, Upland Road et Ville-au-Roi**

Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port s'étant adressé à la Cour pour permission de construire des égouts publics en la dite paroisse, savoir (1) à travers les cimetières ouest et est situés bordant la route dite "Upland Road" puis à travers la dite route, et ensuite à travers les terres du Collège Elizabeth et ce pour effectuer communication avec l'égout actuel dans la route du Collège;

(2) depuis le coin Nord-est ou environ de l'héritage de la Ville-au-Roi à travers le coin Sud-ouest ou environ de l'héritage de la Pierre Percée, et ce pour effectuer communication avec l'égout actuel dans la Route de la Pierre Percée;

Le tout aux fins de l'Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les records de cette ile le 20 mai 1922, La Cour, après qu'il a paru que les formalités voulues par la loi ont été observées, a, ouïes les conclusions des Officiers du Roi, accordé la dite permission, nul ne s'étant présenté pour s'y opposer.

1933 *Le 14 octobre 1933, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Egouts, Camps Collette Nicolle—la Route Collings**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port, de construire un égout public en la dite paroisse, savoir: depuis l'entrée de la propriété de Monsr. G. F. Wingate, située aux Camps Collette Nicolle jusqu'à, et communiquant avec, l'égout actuel dans la route Collings, le tout aux fins de l'article IV. de la loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922 enregistré sur les records de cette ile le 20 mai 1922.

*Le 24 février 1934 par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Ordonnance relative aux Statistiques Officielles  
concernant l'Assurance sur les Automobiles**

Vu les délibérations des Etats du 11 octobre 1933 au sujet de l'Assurance Obligatoire (Tierce Partie) par rapport aux Véhicules automobiles.

Vu que certains renseignements essentiels à la préparation d'un Projet de Loi pour donner effet aux dites délibérations doivent être obtenus:

La Cour, ouïes les conclusions du Contrôle du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

Definitions

1.—For the purposes of this Ordinance:

“ Owner ” shall mean any person in whose name a motor vehicle was registered during any part of the year 1933.

“ Person ” shall include a Company.

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“ Motor Vehicle ” shall mean any vehicle propelled wholly or partly by means of an internal combustion or steam engine or by electricity or other mechanical means, but shall not include tramcars, cranes, steamrollers, motor fire-engines or farm tractors.

“ States Supervisor ” shall include any States Officer acting under the authority of the States Board of Administration or of the States Supervisor.

2.—Every person who during the year 1933 or any part thereof was the owner of a motor vehicle registered in Guernsey shall, within twenty-one days after being required by the States Supervisor so to do, render to the States Supervisor a return in writing giving full information and particulars in respect of each item set out in the Schedule to this Ordinance.

Obligation  
to render  
Information

3.—Any person who shall fail or neglect to comply with any provision of this Ordinance or shall knowingly make or cause to be made or concur in making an incorrect statement in any return rendered to the Supervisor under the provisions of this Ordinance shall be guilty of an offence and shall be liable on first conviction to a fine not exceeding £1 and on every subsequent conviction to a fine not exceeding £10.

Penalty for  
incorrect  
statements

## SCHEDULE.

### MOTOR VEHICLES.

#### RETURN OF PARTICULARS OF INSURANCE.

| To be filled<br>in by States<br>Licensing<br>Authority. | Registered<br>Number of<br>Motor<br>Vehicle. | Type of<br>Motor<br>Vehicle. | Make of<br>Motor<br>Vehicle. | Horse-power<br>of Motor<br>Vehicle. |
|---|--|------------------------------|------------------------------|-------------------------------------|
|   |  |                              |                              |                                     |

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## QUESTION

## ANSWER

- |   |   |
|---|---|
| <p>1.—Was the above motor vehicle insured during 1933 against:—</p> <p>(a) Fire;</p> <p>(b) Damage from other causes;</p> <p>(c) Third party risks, and if so, to what extent?</p> <p>2.—If so, with what Company was it insured?</p> <p>3.—What was the amount of the annual premium?</p> <p>4.—How many accidents did you have in 1933 in which the above vehicle was involved?</p> <p>5.—How much did you or the Insurance Company actually pay—</p> <p>(a) to repair the damage to the above vehicle?</p> <p>(b) to repair the damage to the other vehicle(s) involved in the accident(s)?</p> <p>(c) to compensate anyone injured?</p> | <p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(a)</p> <p>(b)</p> <p>(c)</p> |
|---|---|

(Signature).....

(Address).....

Date.....

*Le 12 mai 1934, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:* 1934

### **Ordonnance par rapport aux Annonces Officielles**

Attendu que suivant les dispositions de l'Ordonnance du 9 février 1867, les Annonces Officielles doivent être insérées dans la Partie Officielle du numéro du journal dit "La Gazette de Guernesey" publié le samedi:

Attendu que les Directeurs de la Société dite "Guernsey Star and Gazette Company Limited" dont le bureau enregistré est au No. 2, Rue du Bordage, Saint Pierre-Port, la dite Société successeur propriétaire du dit journal de Monsieur Thomas Mauger Bichard, ont notifié la Cour Royale que la dite Société se propose de discontinuer après le vingt-six mai 1934 la publication du dit journal mais est prête à publier chaque Samedi à compter du deux juin 1934 inclusivement une Feuille à être intitulée "La Gazette de Guernesey" comme supplément au journal quotidien dit "The Star" publié par la dite Société et de livrer gratuitement tel supplément à tout acheteur d'une copie de l'une ou l'autre des deux éditions dites respectivement "Country Edition" et "Special Edition" de ce dernier journal publiées chaque Samedi:

La Cour, ouïes les conclusions du Procureur-Délégué du Roi, a autorisé la dite Société d'intituler partie de la dite Feuille "Partie Officielle" et a ordonné et ordonne qu'à compter du deux juin 1934 inclusivement et tout et aussi longtemps que telle Feuille soit publiée chaque Samedi comme supplément au dit journal "The Star" et qu'elle soit livrée gratuitement à tout acheteur d'une copie de l'une ou l'autre des dites deux éditions de chaque Samedi de ce journal, et ce jusqu'à ce que la Cour en ordonne autrement, les annonces officielles qui doivent actuellement être publiées dans la partie officielle du journal hebdomadaire dit "La Gazette de Guernesey" seront insérées dans la partie officielle de la dite Feuille à être intitulée "La Gazette de Guernesey."

Et sont rappelées avec effet à compter du vingt-huit

Guernsey  
Star and  
Gazette  
Co. Ltd., et  
les Annonces  
Officielles

1934 mai 1934 les deux Ordonnances par rapport à la Gazette  
 Officielle et aux Annonces Officielles à y être insérées  
 passées le 3 octobre 1842 et le 9 février 1867 respective-  
 ment.

*Le 19 mai 1934, par devant Arthur William Bell, écuyer,  
 Baillif, présents, etc.:*

**Ordonnance relative à la Fourniture de l'Electricité  
 par les Etats**

Attendu que d'après les dispositions de l'Article 35 de l'Ordre en Conseil ratifiant un Projet de Loi intitulé "Loi relative à la Fourniture de l'Electricité par les Etats, 1933," enregistré sur les Records de cette Ile le 25 novembre 1933 la Cour Royale est autorisée par Ordonnance de temps à autre à régler l'administration de la dite Loi et de faire tels règlements qui seront nécessaires afin que la dite Loi ait son plein effet comme aussi de régler les conditions et les méthodes gouvernant tous travaux ayant rapport à la fourniture et à l'usage de l'Electricité soit sous l'empire de la dite Loi ou autrement:

La Cour, sur les représentations faites à la Cour ce jour par le Conseil de l'Electricité et ouïes les conclusions du Procureur Délégué du Roi, par voie des règlements qui ensuivent rédigés en anglais, a ordonné et ordonne:

**Definitions**

1.—The expressions "the Board" and "Energy" in this Ordinance shall have the same meanings as those assigned to them respectively in the Law referred to in the preamble thereto.

**Power to change Direct Current to Alternating Current**

2.—The Board is hereby authorised and empowered in all such Districts and at such time or times hereafter, the whole as the Board shall deem expedient, to discontinue the existing method of supplying energy to consumers, that is to say, the supply of Direct Current at a declared pressure of 210/240 Volts and to substitute

therefor the following method of supply, namely: The supply of Alternating Current Single Phase 230 Volts 50 cycles and/or Three Phase 400 Volts 50 cycles, the whole subject to and in accordance with the conditions hereinafter contained, namely:—

(a) The Board, not less than one month nor more than six months previous to the date on which any such substitution of the method of supply shall be made, shall serve at the address of every consumer of energy supplied by the Board in the district in which such substitution of method of supply is to be made, a written notice of such intended substitution.

(b) The Board at its expense shall make such alterations to consumers' apparatus and appliances and/or shall replace such thereof as may be necessary in order to provide consumers by means of the substituted method of supply with an adequate supply of energy for the purposes for which energy supplied by the Board by means of the discontinued method of supply was lawfully used by such consumers, provided that:—

- (i) The Board shall be bound to alter or replace only such apparatus and appliances as may reasonably be deemed necessary by the Board;
- (ii) The Board shall not be bound at its expense to alter or replace any apparatus or appliance which shall be fixed to or placed in the premises of a consumer after the notice referred to in sub-section (a) hereof shall have been served on that consumer unless before such apparatus or appliance shall have been so fixed or placed by the Board shall have received notice from the consumer of the intended fixing or placing of such apparatus or appliance in such premises and shall have assented in writing thereto.

1934 *Le 16 juin 1934, par devant Arthur William Bell, écuyer,  
Baillif, présents, etc.:*

### Egouts

Sur le remède demandé par Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port suppliant la Cour lui accorder permission de construire des égouts en la dite paroisse, savoir: —

Egouts,  
St. Jacques—  
Rozel Road

(1) depuis la maison dite “Albion Cottage” située à la route Saint Jacques jusqu’au haut de la route dite “Rozel Road” et ce pour effectuer communication avec l’égout actuel dans la dite route “Rozel Road”;

Rozel Road—  
Water Lane

(2) depuis la jonction de la dite route “Rozel Road” et des routes de la Fosse André et de la Couture jusqu’à la ruelle dite “Water Lane”; le tout aux fins de l’Article IV. de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

La Cour, après qu’il a paru que les formalités voulues par la loi ont été observées, a, ouïes les conclusions des Officiers du Roi, accordé la dite permission.

*Le 13 octobre 1934, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

### Poids et Mesures livrés au musée de Candie

LA COUR a autorisé Monsieur le Prévôt du Roi, lequel a en sa custodie les Poids et Mesures et les Appareils appartenant aux Etats de cette Ile spécifiés dans l’inventaire qui suit, lesquels sont présentement inusités, à livrer tels Poids, Mesures et Appareils au Conservateur du Musée de Candie et a autorisé le dit Conservateur à les recevoir et les exposer dans le dit Musée jusqu’à autre ordre, bien entendu que les dits

Poids, Mesures et Appareils resteront la propriété des  
dits Etats. 1934

### INVENTAIRE

Boisseau daté 1615.  
Pot du Marché daté 1615.  
Quint Grande Mesure daté 1615.  
Pinte du Marché daté 1615.  
Denerel Grande Mesure daté 1615.  
Série de Poids (demie once à une livre).  
Série de Poids (quart d'once à quatre livres).  
14 Fers à marquer et caisse.  
Série de Poids de Rouen.  
2 Balances.

*Le 27 octobre, 1934 par devant Arthur William Bell,  
écuyer, Baillif; présents: etc.*

#### **Ordonnance relative aux Ajours et aux Causes mises devant la Cour Royale**

La Cour, ouïes les conclusions des Officiers du Roi,  
a ordonné et ordonne: —

1.—Toutes causes destinées à être mises devant la Cour, et tous ajours y ayant rapport, seront sur papier du forme et grandeur uniforme suivant aux échantillons approuvés par la Cour et déposés au Greffe. Causes et ajours

2.—Nul ajour, signification ou autre semonce judiciaire émis en cette Ile ne sera valable à moins qu'il ne soit signé au pied par l'Avocat l'émettant ou par un Avocat signant pour lui et, si tel ajour, signification ou autre semonce judiciaire est destiné à être servi en cette Ile, à moins qu'il ne soit estampillé ou signé à l'endos et servi par le Sergent du Roi ou son Député. Signature et service

3.—Nulle cause qui est complémentaire à un ajour, signification ou semonce ne sera mise devant la Cour à moins que telle cause ne soit signée ou estampillé par l'Officier compétent qui aura servi l'ajour, signification ou semonce y relatif, savoir: par le Sergent du Roi ou Causes complémentaires

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son Député en ce qui concerne les ajours, significations et semonces servis dans cette Ile; par le Sergent de l'Ile d'Auregny ou autre officier compétent en ce qui concerne les ajours, significations et semonces servis dans l'Ile d'Auregny; et par le Prévôt de l'Ile de Sercq; et ce comme relation qu'un ajour, signification ou semonce à tout défendeur désigné dans la dite cause a été servi par tel Officier compétent.

*Le 17 novembre 1934, pardevant Arthur William Bell, écuyer, Baillif; présents: etc.*

**Ordonnance rappelant les Ordonnances contenant des Règlements pour la Voie Ferrée entre la Ville de Saint Pierre-Port et le Havre de Saint Samson.**

Attendu que l'opération de la Voie Ferrée entre la Ville de Saint Pierre-Port et le Havre de Saint Samson a terminé le 9 juin 1934, et que la dite Voie Ferrée et ses appartenances sont en train d'être enlevées et démolies:

La Cour, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Ordonnance relative aux Règlements pour la Voie Ferrée entre la Ville de Saint Pierre-Port et le Havre de Saint Samson rendue permanente aux Chefs Plaids d'après la Saint Michel tenus le 2 octobre 1882, et l'Ordonnance contenant des règlements additionels pour la Compagnie dite "Guernsey Railway Company, Limited" rendue permanente aux Chefs Plaids d'après la Saint Michel tenus le 30 septembre, 1895.

*Le 2 mars 1935, pardevant Arthur William Bell, écuyer, Baillif; présents: etc.*

**Ordonnance déclarant que le Vingt-cinquième Anniversaire de l'Accession au Trône de Sa Très-Gracieuse Majesté le Roi Georges V. sera un Jour Férié.**

Attendu que le vingt-cinquième Anniversaire de l'Accession au Trône de Sa Très Gracieuse Majesté le Roi Georges V. aura lieu Lundi le 6 mai 1935:

Attendu que par Proclamation de Sa Majesté il a été ordonné que le dit jour 6 mai 1935 sera célébré dans le Royaume Uni comme jour de fête et qu'il sera observé comme jour férié: 1935

Attendu que les habitants de cette Ile ont le très vif et très loyal désir de participer à la célébration qui convient à un si heureux évènement:

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

En ce qui concerne l'année mil neuf cent trente-cinq:

1.—L'Ordonnance relative aux Jours Fériés passée aux Chefs Plaids d'après Noël remis au 3 février 1906 et renouvelée comme Ordonnance permanente aux Chefs Plaids d'après Noël tenus le 18 janvier 1909 aura effet comme si les mots:

“Lundi le 6 mai 1935, étant le jour fixé pour la Célébration du XXVe Anniversaire de l'Accession au Trône de Sa Majesté le Roi Georges V.”

furent insérés après les mots “Le Lundi de Pâques” dans le premier alinéa de la dite Ordonnance.

2.—L'Ordonnance provisoire contenant les Règlements pour le Greffe passée le 25 octobre 1930 aura effet comme sit les mots susdits furent insérés après le mot “Pâques” dans l'Article 1 de la dite Ordonnance. Bureau du Greffe

*Le 23 mars 1935, par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Egouts, Camps Collettes Nicolles-Rozel Road**

Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port s'étant adressé à la Cour pour permission de construire un égout public en la dite paroisse, savoir: sous la partie supérieure de la ruelle des Camps Collettes Nicolles, et ce depuis l'égout actuel dans la dite ruelle

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jusqu'au haut de la route dite "Rozel Road" et ce pour effectuer communication avec l'égout actuel dans la dite route "Rozel Road," le tout aux fins de l'Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922 enregistré sur les Records de cette Ile le 20 mai 1922. La Cour, après qu'il a paru que les formalités voulues par la loi ont été observées, a, ouïes les conclusions des Officiers du Roi, accordé la dite permission, nul ne s'étant présenté pour s'y opposer.

*Aux Chefs Plaids d'après Pâques tenus le 29 avril 1935 par devant Arthur William Bell, écuyer, Baillif, présents, etc.:*

**Ordonnance relative à la Commémoration du Jubilé de Sa Majesté le Roi George V.**

Attendu que la Commémoration du Jubilé de Sa Majesté le Roi George V. doit se tenir le 6 mai prochain et que le dit jour est un jour férié dans cette Ile, et sur les représentations faites par le Comité dit "The Jubilee (Silver) Celebrations Committee" avec l'approbation de Son Excellence le Lieutenant-Gouverneur:

La Cour, ouïes les conclusions du Contrôleur-Délégué du Roi, a ordonné et ordonne: —

Prémises  
licenciées

Qu'il sera permis de garder ouverts les prémisses licenciées pour la vente de liqueurs alcooliques des 1<sup>e</sup>, 2<sup>e</sup>, 3<sup>e</sup>, et 6<sup>e</sup> classes de l'heure ordinaire de clôture le 6 mai 1935 jusqu'à 12.30 heures du matin le 7 mai 1935, bien entendu que la Police pourra après l'heure ordinaire de la clôture ordonner que toute maison licenciée où il se commet du désordre ou où il y a raison de craindre qu'un désordre se souleva sera vidée et fermée et alors telle maison sera vidée et fermée conformément à tel ordre.

*Le 15 juin 1935, par devant William de Prélaz Crousaz, écuyer, Juge Délégué, présents, etc.:* 1935

**Ordonnance ayant rapport aux Pensions Contributives en cas d'Accidents ou de Décès et pour la Vieillesse**

La Cour, en vertu des dispositions de l'Article XLIII de la Loi dite "The Contributory Pensions Law, 1935," sanctionnée par un Ordre de Sa Majesté en Conseil en date du six juin 1935, enregistré sur les Records de cette Ile le 15 juin 1935, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que la dite Loi deviendra pleinement en vigueur immédiatement après le 29 juin 1935.

**VISITE DE SON ALTESSE ROYALE LE PRINCE DE GALLES**

Attendu que Son Altesse Royale le Prince de Galles a intimé son intention de visiter cette Ile mercredi le 24 juillet prochain:

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

En ce qui concerne l'année mil-neuf cent trente-cinq:

1.—L'Ordonnance relative aux Jours Fériés passée aux Chefs Plaids d'après Noel remis au 3 février 1906 et renouvelée comme Ordonnance permanente aux Chefs Plaids d'après Noel tenus le 18 janvier 1909, aura effet comme si les mots: Le 24 juillet 1935 jour férié

"Mercredi le 24 juillet 1935, étant le jour de la visite de Son Altesse Royale le Prince de Galles," furent insérés immédiatement avant les mots "Le premier Lundi du mois d'août" dans le premier alinéa de la dite Ordonnance.

2.—L'Ordonnance provisoire contenant les Règlements pour le Greffe passée le 25 octobre 1930 aura effet comme si les susdits mots furent insérés immédiatement avant les mots "le premier lundi du mois d'août" dans l'Article I de la dite Ordonnance.

1935

Bureau du  
Registraire  
des Morts

3.—L'Ordonnance provisoire portant règlement pour le Bureau du Registraire des Morts passée le 20 octobre 1917 aura effet comme si les susdits mots furent insérés immédiatement avant les mots " le premier lundi du mois d'août " dans la dite Ordonnance.

**Ordonnance ayant rapport à la Visite de Son Altesse  
Royale le Prince de Galles**

Attendu que Son Altesse Royale le Prince de Galles a intimé son intention de visiter cette Ile mercredi le 24 juillet prochain:

Attendu, afin d'assurer libre passage à Son Altesse Royale et à son entourage tant sur les routes, rues, chemins et autres lieux publics ou accessibles au public en cette Ile que dans le Havre de Saint Pierre Port et dans la Rade et pour la protection du public en général, il convient d'autoriser la rédaction de règlements et l'émission d'ordres tendant au contrôle des mouvements du trafic véhiculaire et des piétons et de la circulation de navires, bateaux et hydroavions dans le Havre de Saint Pierre Port et dans la Rade pendant le dit jour:

La Cour, ouïes les conclusions des Officiers du Roi, par voie des dispositions suivantes rédigées en anglais, a ordonné et ordonne:—

Regulations  
for the  
control of  
traffic and  
movements  
of the  
public

1.—The States Police Committee is hereby authorised to make such Regulations and to issue such orders as it may deem necessary for the purpose of controlling and regulating vehicular and aerial traffic and the movements of the public in general on the date of the visit of His Royal Highness the Prince of Wales, with power to prohibit entry to or exit from any road, street or way or to or from any public place or any place accessible to the public. As regards any quay, pier or landing, such powers shall only be exercised by the States Police Committee after consultation with the States Board of Administration.

2.—The States Board of Administration is hereby 1935  
 authorised to make such Regulations and to issue such Regulations  
 orders as it may deem necessary for the purpose of controlling the movements in and over the Harbour of Saint for  
 Peter Port and the Roadstead of shipping and aircraft shipping  
 on the said date.

3.—If any person shall contravene or disobey any Penalty for  
 Regulation or order made or issued under the provisions contravening  
 of this Ordinance or any order given in pursuance regulations  
 thereof by the States Police Inspector or any Member of  
 the States Police or any Special Constable acting under  
 the authority of the States Police Committee or any  
 Official acting under the authority of the States Board  
 of Administration, he shall be guilty of an offence and  
 shall be liable on conviction to a fine at the discretion  
 of the Court not exceeding Ten Pounds.

*Le 13 juillet 1935, par devant William de Prélaz Crousaz,  
 écuyer, Juge-délégué, présents, etc.:*

### Egouts

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Martin de construire des égouts en la dite paroisse, savoir:

1.—d'un point proche l'hôtel dit "Queen's Hotel" Egouts,  
 dans la Route des Camps et procédant vers le Sud pour Route des  
 une distance de 70 verges ou environ en remontant la Camps—  
 colline menant au Moulin des Camps; Moulin  
des Camps

2.—pour une distance de 110 verges ou environ de Grande Rue  
 la jonction de la Grande Rue et de la Route des —Route de  
 Merriennes procédant vers l'Ouest dans la route qui Carmel  
 mène au haut de la Route de Carmel;  
 le tout aux fins de l'Article IV. de la Loi relative aux  
 Egouts paroissiaux sanctionnée par Ordre de Sa Majesté  
 en Conseil en date du 5 mai 1922 enregistré sur les  
 Records de cette Ile le 20 mai 1922.

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*Le 20 juillet 1935, par devant Victor Gosselin Carey,  
écuyer, Baillif, présents, etc.:*

**Ordonnance étendant les heures d'ouverture de Prémises  
Licenciées à l'occasion de la Visite de Son Altesse  
Royale le Prince de Galles**

Attendu que Son Altesse Royale le Prince de Galles honorera cette Ile d'une visite mercredi prochain le 24 juillet et que tel jour sera célébré comme jour de fête;

Vu les représentations faites par le Comité des Etats dit "Prince of Wales' Visit Committee,"

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

Heures  
d'ouverture  
de  
prémises  
licenciées

Mercredi le 24 juillet 1935, il sera permis de garder ouvertes les prémisses licenciées pour la vente de liqueurs alcooliques des lière, 2ième, 3ième, et 6ième classes depuis l'heure ordinaire de fermeture jusqu'à minuit et, en ce qui concerne les Hôtels de première et de seconde classes, la condition qui leur est ordinairement applicable après neuf heures et demie du soir aux fins des deux alinéas qui suivent immédiatement le sous-titre "Week Days" du titre "Licensed Premises other than Clubs" dans l'Article 4 de l'Ordonnance Provisoire portant règlement pour la vente de Liqueurs Spiritueuses, Vins, Bière et Cidre passée le 19 mars 1932 n'aura pas d'application, bien entendu que la Police pourra après l'heure ordinaire de fermeture ordonner que toute maison licenciée où il se commet du désordre ou où il y a raison de craindre qu'un désordre se souleva sera vidée et fermée et alors si telle maison ne soit vidée et fermée conformément à tel ordre celui qui en tient la licence et toute autre personne qui n'obéira pas à tel ordre sera coupable d'une offence et sera passible d'une amende à discrétion de Justice qui n'excédera pas Cinq livres sterling.

*Le 16 novembre 1935, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:* 1935

**La Chapelle Galaad licenciée pour Mariages**

La Nouvelle Chapelle dite "Galaad," située aux Grandes Rocques en la paroisse du Castel, a ce jour été licenciée pour la célébration de Mariages.

*Le 14 décembre 1935, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts, St. Pierre Port**

Sur le remède demandé par Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port suppliant la Cour lui accorder permission de construire des égouts en la dite paroisse savoir:

(1) depuis le Carrefour au Lièvre jusqu'à la Chapelle Morley;

(2) le long de la Rue de Putron;

le tout aux fins de l'Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922 enregistré sur les Records de cette Ile le 20 mai 1922.

La Cour, après qu'il a paru que les formalités voulues par la loi ont été dûment observées a, ouïes les conclusions des Officiers du Roi, accordé la dite permission.

*Le 21 janvier 1936, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance relative au Décès de Sa Majesté  
le Roi Georges V.**

La Cour, vu le décès de notre Souverain Sire Georges V., d'heureuse mémoire, événement douloureux qui eut lieu hier soir à Sandringham dans le Comté de Norfolk, qui lui a été communiqué par Son Excellence le

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Lieutenant-Gouverneur, pour témoigner le profond respect et la vive affection dûs par les habitants de cette Ile à la mémoire de leur si bien-aimé Souverain, a, ouïes les conclusions de Officiers du Roi, ordonné et ordonne que les lieux d'amusement seront fermés et gardés fermés pendant aujourd'hui et le restant de la semaine terminant le 25 courant. Et est ordonné à tous et à chacun de se conformer à la présente Ordonnance à peine de punition à discrétion de Justice.

*Le 23 janvier 1936, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance supplémentaire à l'Ordonnance relative au Décès de Sa Majesté le Roi Georges V.**

Après qu'il a paru à la Cour que par suite de la fermeture des lieux d'amusement décernée par l'Ordonnance relative au décès de Sa Majesté le Roi Georges V. passée le 21 janvier 1936, les personnes y employées seront, en certains cas, privées de tous gages ou salaires pendant la période de fermeture; pour à ce obvier et en se conformant à ce qui se fait en Angleterre la Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que la dite Ordonnance n'aura plus d'application.

*Le 15 février 1936, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts, Mont Arrivé**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port de construire un égout en la dite paroisse, savoir: le long de la Rue du Mont Arrivé, deupis la Rouge Rue jusqu'aux Logements Ouvriers appartenant aux Etats de cette Ile, le tout aux fins de l'Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 20 avril 1936, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

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**Pavillon Officiel pour l'Île**

Monsieur le Baillif ayant ce jour communiqué à la Cour copie d'une lettre par lui adressée à Son Excellence le Lieutenant-Gouverneur en date du 4 décembre 1935 et la réponse de Son Excellence le Lieutenant-Gouverneur à Monsieur le Baillif en date du 8 avril 1936 intimant que Sa Majesté le Roi a approuvé que le pavillon officiel de l'Île continuera à être le pavillon connu comme "St. George's Cross."

La Cour a ordonné que les dites lettres, dont la teneur suit, seront enregistrées sur les Records de cette Île.

The Bailiff's Chambers,  
Royal Court House,  
Guernsey.

4th December, 1935.

Sir,

I have the honour to enclose, for the information of Your Excellency, a resolution of the States of Guernsey adopted at their meeting held on Friday, the 29th November last, in which they requested the President to forward to you a request that His Majesty might be graciously pleased to sanction the continued use of the flag bearing the St. George's Cross on a white ground as the distinctive flag of the Island of Guernsey, it being understood that the flag will be flown on land only.

I venture to put forward this request of the States with a certain amount of confidence by reason of the fact that the said flag has, for many generations, been recognised as the official flag of the Island, and is looked upon with pride and affection by all the inhabitants, who feel that it is the only suitable flag for the Island. It was undoubtedly flown in England and in the Islands before the union of England with Scotland, and it would still

1936 have been flown in this Island even after the union with  
Ireland and the inception of the Union Jack.

May I be allowed to enlist the sympathy of Your Excellency in our endeavours to procure the continued use of this flag for the Island and thus secure the gratitude and sincere appreciation of every Guernseyman?

I have the honour to be,

Sir,

Your most obedient Servant,

VICTOR G. CAREY,

Bailiff.

His Excellency,  
The Lieutenant-Governor,  
Guernsey.

Government Office,  
Guernsey.  
8th April, 1936.

Sir,

With reference to your letter of the 4th December, 1935, notification has been received from the Home Office to the effect that the Secretary of State had the honour to lay before the King the resolution of the States of Guernsey praying that sanction may be obtained to the continued use of a flag bearing the St. George's Cross on a white ground as the distinctive flag of the Island and that His Majesty has been graciously pleased to approve thereof. I am to add that this flag cannot be used at all at sea.

I have the honour to be,

Sir,

Your obedient Servant,

E. N. BROADBENT,

Major-General.

Lieutenant-Governor.

The Bailiff,  
The Royal Court,  
Guernsey.

*Le 5 septembre 1936, par devant Victor Gosselin Carey, écuier, Baillif, présents, etc.:*

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**Eglise Catholique Saint Yves Licenciée pour Mariages**

Sur la demande de Monsieur l'Abbé Jean Baptiste Toublanc, Directeur et Prêtre desservant l'Eglise Catholique Saint Yves, située proche Les Landes en la paroisse de la Forêt, la Cour a licencié la dite Eglise à l'effet de pouvoir y célébrer les mariages.

**Egouts, St. Martin**

Sur le remède demandé par Jean Nicolas Robin, écuier, Président du Conseil pour les Egouts de la paroisse de Saint Martin suppliant la Cour lui accorder permission de construire des égouts en la dite paroisse, savoir:

- (a) depuis la Croix Bertrand, le long des Blanches, jusqu'au Carrefour Courtes Fallaizes, et de là par les Maindonaux à la Route Sausmarez;
- (b) depuis la Croix Guérin, le long de la Rue Maze, jusqu'à la jonction de la dite Rue Maze et de la Rue des Caches;

le tout aux fins de l'Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

La Cour après qu'il a paru que les formalités voulues par la loi ont été dûment observées, a, ouïes les conclusions des Officiers du Roi, accordé la dite permission.

*Le 5 octobre 1936, par devant Victor Gosselin Carey, écuier, Baillif, présents, etc.:*

**Evocation des Avocats aux Chefs Plaids**

Vu les dispositions de l'Ordonnance passée aux Chefs Plaids d'après Pâques tenus le cinq avril 1619 par

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rapport à la comparance aux Chefs Plaids des Avocats de la Cour Royale, la Cour a exprimé le désir que les noms de Messieurs les Membres du Barreau soient évoqués immédiatement après l'évocation de Messieurs les Jurés-Justiciers tant aux Chefs Plaids de ce jour qu'à l'avenir.

*Le 4 novembre 1936, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance rendant opératives les dispositions de la Loi dite "The Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936"**

First  
Schedule

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit:

1.—The provisions of the Law entitled "The Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936" (hereinafter referred to as "the Law") specified in the First Column of the First Schedule hereto shall come into operation for the purpose specified in the Second Column thereof on the fifth day of November, One thousand nine hundred and thirty-six.

Second  
Schedule

2.—The provisions of the Law specified in the First Column of the Second Schedule hereto shall come into operation for the purposes specified in the Second Column thereof on the ninth day of November, One thousand nine hundred and thirty-six.

Third  
Schedule

3.—The provisions of the Law specified in the First Column of the Third Schedule hereto shall come into operation for the purposes specified in the Second Column thereof on the first day of January, One thousand nine hundred and thirty-seven.

## THE SCHEDULES

1936

## FIRST SCHEDULE

| Provisions of the Law | Purposes for which provisions<br>are to be brought into<br>operation |
|-----------------------|--|
| Section 12.           | } For all purposes.  |
| Section 14.           |  |
| Section 18.           |  |

## SECOND SCHEDULE

| Provisions of the Law           | Purposes for which provisions<br>are to be brought into<br>operation  |
|---------------------------------|---|
| Subsection (3) of<br>Section 3. | { For the following purposes:<br>(a) to enable proof to be given of compliance with the requirements of the law of the United Kingdom with respect to deposits and guarantees as regards the carrying on of motor vehicle insurance:<br>(b) to enable undertakings to be entered into and addresses in this Island to be communicated by assurance companies for the purposes of subparagraphs (ii) and (iii) of paragraph (b) of sub-section 3 of Section 3. |
| Section 15.<br>Section 17.      |   |

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## THIRD SCHEDULE

| Provisions of the Law   | Purposes for which provisions<br>are to be brought into<br>operation |
|---|--|
| Sections 1 to 11<br>(both inclusive).<br>Section 13.<br>Section 16. | } For all purposes.  |

*Le 30 janvier 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts, Rue Cauchée—Ville-au-Roi**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Martin, de construire des égouts en la dite paroisse savoir: du haut de la Rue Cauchée, le long de la route des Vaurioufs, la Route des Quatre Vents et les "Oberlands" jusqu'à la Ville au Roi, le tout aux fins de l'Article IV. de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 20 février 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance relative à la Fête du Couronnement de  
Leurs Majestés le Roi et la Reine**

ATTENDU que le Couronnement de Leurs Très Gracieuses Majestés le Roi Georges VI. et la Reine Elisabeth a été fixé pour mercredi le 12 mai 1937.

La Cour, ouïes les conclusions du Procureur du Roi, a ordonné et ordonne:

1.—En ce qui concerne l'année mil neuf cent trente sept:

Le 12 mai  
1937 jour  
férié

- (a) l'Ordonnance relative aux Jours Fériés passée aux Chefs Plaids d'après Noël remis au 3 février 1906 et renouvelée comme Ordonnance permanente aux Chefs Plaids d'après Noël tenus le 18 janvier 1909 aura effet comme si les mots—
- “ Mercredi le 12 mai 1937, étant le jour fixé pour le Couronnement de Leurs Majestés le Roi Georges VI. et la Reine Elisabeth ”
- furent inséré immédiatement après les mots “ Le Lundi de Pâques ” dans le premier alinéa de la dite Ordonnance:
- (b) l'Ordonnance provisoire contenant les Règlements pour le Greffe passée le 25 octobre 1930 aura effet comme si les mêmes mots furent insérés immédiatement après le mot “ Pâques ” dans l'Article 1 de la dite Ordonnance:
- (c) l'Ordonnance provisoire portant Règlement pour le Bureau du Registraire des Morts passée le 20 octobre 1917 aura effet comme si les mêmes mots furent insérés immédiatement après le mot “ Pâques ” dans le troisième alinéa de la dite Ordonnance.

2.—Que le 12 mai 1937, il sera permis de garder ouvertes les prémisses licenciées des 1<sup>ère</sup>, 2<sup>ème</sup>, 3<sup>ème</sup> et 6<sup>ème</sup> classes pour la vente de liqueurs alcooliques depuis l'heure ordinaire de clôture jusqu'à minuit, et en ce qui concerne les Hôtels de première et seconde classes, la condition qui leur est ordinairement applicable après neuf heures et demie du soir aux fins des deux alinéas qui suivent immédiatement le sous-titre “ Week Days ” du Titre “ Licensed Premises other than Clubs ” dans l'Article 4 de l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre passée le 19 mars 1932 n'aura pas d'application, bien entendu que la Police pourra après l'heure ordinaire de la clôture y applicable ordonner que toutes prémisses licenciées où il se commet du désordre ou où il y a raison

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Prémisses  
licenciées

1937

de craindre qu'un désordre se souleva seront viduées et fermées et alors telles prémisses seront viduées et fermées conformément à tel ordre.

Ordres  
donnés  
par la  
Police

3.—Toute personne tenant licence des susdites classes qui n'obtempérera pas à un ordre donné par la Police aux fins de l'Article précédent sera censé avoir commis une offense aux fins de l'Article 5 de l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre passée le 19 mars 1932 et sera passible aux pénalités y spécifiées.

*Le 17 avril 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

#### Ordonnance relative aux Douits (1937)

ATTENDU que dans la section 16 de la Loi relative aux Douits sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 14 novembre 1936 il est statué que sauf en ci qui regarde les Sections 4, 11, 12 et 13 de la dite Loi, les expressions "watercourse" et "watercourses" contenues dans la dite Loi ne s'appliqueront qu'aux cours d'eau déclarés par Ordonnance de la Cour siégeant en Cour de Chefs Plaids être sujets à l'application des dispositions de la dite Loi.

VU les représentations faites à la Cour par le Comité des États dit "States Public Thoroughfares Committee" chargé de certains devoirs aux fins de la dite Loi;

LA COUR, ouïes les conclusions du Contrôle du Roi, a déclaré que les cours d'eau suivants:

Les cours  
d'eau  
déchargeant  
dans la  
Baie du  
Grand Havre

- 1° Les cours d'eau déchargeant dans la Baie du Grand Havre par voie de l'étang dit "Vale Pond" et indiqués sur une Carte de l'Ile de Guernesey—la dite Carte datée de ce présent jour et an, signée de Monsieur le Baillif et déposée au Greffe—par des lignes en couleur bleue, comme aussi tous les tributaires des dits

cours d'eau et les canaux naturels et artificiels d'eau alimentant tels cours d'eau et tributaires que tels tributaires et canaux soient ou ne soient pas indiqués sur la dite Carte: 1937

- 2° Les cours d'eau déchargeant dans la Baie de Bellegrève par la Tonnelle d'Orgeuil ou par une embouchure alternative à cette tonnelle et indiqués sur la dite Carte par des lignes en couleur rouge, comme aussi tous les tributaires des dits cours d'eau et les canaux naturels et artificiels d'eau alimentant tels cours d'eau et tributaires, que tels tributaires et canaux soient ou ne soient pas indiqués sur la dite Carte: Les cours d'eau déchargeant dans la Baie de Bellegrève
- seront sujets à l'application des dispositions de la dite Loi à compter de ce jour et date.

*Le 12 juin 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts, Rue Poudreuse et Route des Merriennes**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Martin, de construire un égout en la dite paroisse le long de la Rue Poudreuse et de la Route des Merriennes, le tout aux fins de l'Article IV. de la Loi Relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

**Egouts, Route des Jukeurs**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse du Valle, de construire un égout en la dite paroisse le long de la Route des Jukeurs et partie de la Route Summerfield, et ce pour effectuer communication avec l'égout actuel dans la Route de la Hougue Jehannet, le tout aux fins de l'Article IV. de la Loi relative aux Egouts Paroissiaux

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sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 28 août 1937, par devant William de Prélaz Crousaz, écuyer, Lieutenant-Baillif, présents, etc.:*

**Egouts, Route du Vauquiédor—Route du Foulon**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port, de Saint Martin et de Saint André, de construire un égout en les dites paroisses, et ce depuis le bas de la Route du Vauquiédor, à travers l'héritage dit "Havilland Hall," jusqu'à la Route du Foulon, le tout aux fins de l'Article IV. de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 20 novembre 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance portant modification à l'Ordonnance par rapport aux Etrangers et au soulagement et l'entretien des Pauvres Etrangers**

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que l'Ordonnance par rapport aux Etrangers et au soulagement et l'entretien des Pauvres Etrangers rendue permanente aux Chefs Plaids d'après Noël, 1931 tenus le 18 janvier 1932 aura effet désormais comme si, dans les Articles 2, 3, 4 et 5 de telle Ordonnance les mots "au Bureau de la Police Salariée de l'Ile" furent insérés à la place des mots "au bureau des Etats" là où ces derniers mots se trouvent dans chacun des dits Articles.

*Le 11 décembre 1937, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:* 1937

**Ordonnance par rapport aux Secours Publics (1937)**

Vu les dispositions de la Loi ayant rapport aux Secours Publics (1937):

Vu aussi que les dispositions de l'Ordonnance relative aux Hôpitaux de la Ville et de la Campagne et aux Asiles d'Aliénés rendue permanente aux Chefs Plaidés d'après Noël 1908, tenus le 18 janvier 1909, ont été remplacées, savoir, celles de l'Article de telle Ordonnance par certaines des dispositions de la Loi susmentionnée et celles des autres Articles de telle Ordonnance par certaines des dispositions de la Loi relative aux Aliénés enregistrée sur les Records de cette Ile le 9 juillet 1910:

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:

1.—Que le jour appointé par la Cour Royale aux fins de l'Article 1 de la Loi ayant rapport aux Secours Publics (1937) comme la date du transfert des fonctions des divers Conseils constitués aux fins de la Loi ayant rapport à l'Administration des Pauvres de l'Ile enregistrée sur les Records de cette Ile le 13 août 1925, et du Conseil constitué aux fins de la Loi ayant rapport à l'Asile des Enfants enregistrée sur les Records de cette Ile le 24 novembre 1928, à l'Autorité dite "The States Public Assistance Authority" constituée aux fins de la dite Loi ayant rapport aux Secours Publics (1937) sera le premier janvier, mil neuf cent trente-huit, depuis le commencement de tel jour. La date du transfert des fonctions des divers Conseils

2.—Que l'Ordonnance relative aux Hôpitaux de la Ville et de la Campagne et aux Asiles d'Aliénés rendue permanente aux Chefs Plaidés d'après Noël 1908, tenus le 18 janvier 1909, demeurera rappelée. Ordonnance rappelée

3.—Que le premier alinéa de l'Article 2 de l'Ordonnance par rapport aux Etrangers et au soulagement et l'entretien des Pauvres Etrangers rendue permanente aux Chefs Plaidés d'après Noël 1931, tenus le 18 janvier 1932, Ordonnance amendée

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aura effet désormais comme si les mots “ sur la requête du Président de l’Autorité ” dite “ The States Public Assistance Authority ” furent substitués aux mots “ sur la requête du Trésorier des Etats ” qui s’y trouvent.

*Le 9 avril 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts, New Place—Route Victoria**

Il a été permis à Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Pierre Port, de construire un égout en la dite paroisse depuis la route dite “ New Place ” jusqu’à la Route Victoria, le tout aux fins de l’Article IV. de la Loi relative aux Egouts paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 7 mai 1938, par devant John Roussel, écuyer, Lieut.-Baillif, présents, etc.:*

**Egouts, St. Martin et St. André**

Il a été permis à Monsieur Frank H. de la Rue, Vice-Président des Conseils pour les Egouts des paroisses de Saint Martin et de Saint André, de construire des égouts en les dites paroisses, savoir:

- |   |  |
|---|--|
| <p>Egouts—<br/>(1) Rue à l’Or<br/>—Carrefour de la Croix au Baillif</p> | <p>(1) depuis l’égout qui se trouve au bas de la Rue à l’Or en la dite paroisse de Saint Martin jusqu’au Carrefour de la Croix au Baillif en la dite paroisse de Saint André, en allant le long de la Route du Vauquiédor;</p> |
| <p>(2) La Croix au Baillif—la Ruette des Pointes</p>                    | <p>(2) le long de la Route de la Croix au Baillif, depuis le Carrefour de la Croix au Baillif jusqu’à la jonction de la dite Route et de la Ruette des Pointes, en la dite paroisse de Saint André;</p>                        |
| <p>(3) La Route de Saint André</p>                                      | <p>(3) le long de la Route de Saint André, depuis le dit Carrefour de la Croix au Baillif jusqu’à un</p>   |

point 900 pieds du dit Carrefour, en la dite paroisse de Saint André;

1938

le tout aux fins de l'Article IV. de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 28 mai 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

#### Sceau du Bailliage

La Cour, sur les représentations de Monsieur le Baillif qu'il est expédient de se procurer un nouveau Sceau du Bailliage, étant une réplique du sceau octroyé à ce Bailliage au Quatorzième siècle, pour remplacer le Sceau du Bailliage présentement en usage, a autorisé l'envoi temporaire en Angleterre du dit Sceau du Quatorzième siècle, présentement logé au Greffe, pour servir de modèle en ce qui concerne la façon de tel nouveau Sceau du Bailliage.

*Le 18 juin 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

Monsieur le Greffier du Roi a été autorisé de faire enregistrer sur les Records de cette Ile, une Adresse de remerciements par la Cour Royale et le Barreau de Guernesey à la Faculté de Droit de Caen, dont la teneur suit:

#### SEMAINE DE DROIT NORMAND

Tenue à Guernesey

du 8 au 13 juin 1938

La Cour Royale et le Barreau de Guernesey, heureux du succès de la Semaine de Droit Normand désirant exprimer leur gratitude envers la Faculté de Droit de Caen, décident à l'unanimité de lui faire parvenir l'adresse suivante:

1938

LA COUR ROYALE ET LE BARREAU DE GUERNESEY, se réjouissant que le Congrès de la Semaine de Droit Normand ait put tenir ses séances dans cette Ile du 8 au 13 juin 1938, assurés que les savantes leçons qui y furent faites, en faisant mieux connaître l'Histoire de Notre vieille Coutume, augmentent l'attachement qu'ont pour elle tous les Jurisconsultes de Guernesey, adressent à la Faculté de Droit de Caen leurs chaleureuses félicitations et leurs remerciements bien sincères.

Ce dix-huit juin mil neuf cent trente-huit.

VICTOR G. CAREY,

Baillif de l'Ile de Guernesey.

*Le 25 juin 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

#### **Eldad Church licenciée pour Mariages**

L'Eglise dite "Eldad Church" appartenant de la dénomination dite "Elim Foursquare Gospel Alliance," située a la Rue Union en la paroisse de Saint Pierre Port, a ce jour été licenciée pour la célébration de mariages.

#### **Eglise St. Paul—Licence annulée**

Sur la demande de Quartier Le Pelley, écuyer, Registraire-Général des Mariages dans la Bailliage de l'Ile de Guernesey, la Cour a annulé l'enregistrement comme édifice licencié à l'effet de pouvoir y célébrer les mariages d'un bâtiment (naguère la chapelle Methodiste dite "SAINT PAUL'S CHURCH") situé bordant la Profonde Rue et la Chasse Vassal en la paroisse de Saint Pierre Port, la dite chapelle ayant cessé d'être employée au culte par la congrégation pour laquelle elle fut enregistrée, et ce aux fins de l'Article 28 de la Loi ayant rapport aux Mariages célébrés dans les Iles de Guernesey, d'Auregny et de Serk sanctionnée par un Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 6 mai 1919.

*Le 21 juillet 1938, par devant John Roussel, écuyer,  
Lieutenant-Baillif, présents, etc.:* 1938

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### Semaine de Droit Normand

La Cour, ouïes les conclusions des Officiers du Roi, a autorisé le Greffier du Roi à enregistrer sur les Records de cette Ile la réponse ci-dessous transmise par la Faculté de Droit de l'Université de Caen.

LA

FACULTE DE DROIT DE L'UNIVERSITE DE CAEN

remercie les autorités de Guernesey de l'accueil réservé  
par elles aux Congressistes de la  
SEMAINE DE DROIT NORMAND

tenue à Saint Pierre Port du 8 au 13 juin 1938.

Par la qualité de ses travaux, par l'éclat de ses séances, par la chaude cordialité de l'accueil réservé aux Congressistes, cette réunion restera profondément gravée dans la mémoire des participants.

La Faculté de Droit de Caen, heureuse de voir s'ajouter un lien de plus à ceux qui, sur tant de terrains, unissent depuis toujours

les Normands des Iles

et

les Normands de France

adresse

à Monsieur le Baillif V. G. Carey,

à la Cour Royale,

au Barreau de Guernesey.

le témoignage de sa bien vive reconnaissance.

Caen, le 3 juillet 1938.

1938 *Le 10 septembre 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

#### Nouveau Sceau du Bailliage

Monsieur le Baillif ayant été récemment prié de procureur un nouveau sceau du Bailliage pour être employé à la place de l'ancien sceau qui a été en usage depuis l'année 1885, et ayant ce jour présenté le nouveau sceau à la Cour, il a été ordonné que le sceau dont on s'est servi depuis l'année 1885 sera logé avec les plus anciens sceaux dans une des vitrines au Greffe et qu'à l'avenir il ne sera fait usage que du nouveau sceau, qui restera comme par le passé entre les mains de Monsieur le Baillif pour qu'il s'en serve, lors de l'ouverture du sceau, en présence de deux Jurés de la Cour.

*Le 12 novembre 1938, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

#### Ordonnance relative aux Jours Fériés

ATTENDU que le jour de Noël ainsi que le jour de l'An prochains tombent respectivement le dimanche:

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:

Jours  
Fériés

1.—Mardi le 27 décembre 1938 et lundi le 2 janvier 1939 seront chacun un jour férié et un jour de relâche en ce qui concerne le Greffe et, ces jours-là, le Bureau du Registraire des Morts restera ouvert seulement depuis neuf heures jusqu'à dix heures du matin.

Lettres de  
change ou  
billets à  
ordre

2.—Toute lettre de change ou billet à ordre qui deviendra dû et payable lundi le 26 décembre 1938 ou mardi le 27 décembre 1938 sera payable, et en cas de non-paiement pourra être noté et protesté, mercredi le 28 décembre 1938 et toute lettre de change ou billet à ordre qui deviendra dû et payable lundi le 2 janvier 1939 sera payable, et en cas de non-paiement pourra être noté et protesté, mardi le 3 janvier 1939.

Connaissance  
de  
non-paiement

3.—Lorsque connaissance devrait être donnée le 26 décembre 1938 ou le 27 décembre 1938 du non-paiement

d'une lettre de change ou d'un billet à ordre, connaissance sera donnée le 28 décembre 1938 et lorsque connaissance devrait être donnée le 2 janvier 1939 du non-paiement d'une lettre de change ou d'un billet à ordre connaissance sera donnée le 3 janvier 1939.

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*Le 28 janvier 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Jurisdiction of the Royal Court of Guernsey over the  
Island of Alderney**

Sur la demande des Officiers du Roi, la Cour a ordonné qu'un certain imprimé signé de Victor Gosselin Carey, écuyer, Baillif, et de John Roussel et Aylmer Mackworth Drake, écuyers, Jurés-Justiciers, étant copie collationnée à l'original signé de Edgar MacCulloch et de W. P. Métivier, écuyers, Jurés-Justiciers, en date du vingt-trois mars mil huit cent cinquante-trois (tel original faisant partie des Records de la Cour de l'Île d'Auregny) et intitulé "A Report on the Nature and Extent of the Jurisdiction of the Royal Court of Guernsey over the Island of Alderney", (duquel copie se trouve aussi vers la fin du Livre de Correspondance de la Cour Royale (Royal Court Letter Book) numéroté 7 et déposé au Greffe), sera enregistré au Greffe par y être logé, pour servir et valoir ainsi que de raison.

*Le 18 février 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Egouts — St. Martin**

Sur le remède demandé par Jean Nicolas Robin, écuyer, Président du Conseil pour les Egouts de la paroisse de Saint Martin, suppliant la Cour lui accorder permission de construire un égout dans la Route des Coutures en la dite paroisse, depuis la Grande Route jusqu'à la Rue des Grons, le tout aux fins de l'Article IV

1939

de la Loi relative aux Egouts Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922 enregistré sur les Records de cette Ile le 20 mai 1922. LA COUR, après qu'il a paru que les formalités voulues par la loi ont été dûment observées, à, ouies les conclusions des Officiers du Roi, accordé la dite permission.

*Le 29 avril 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ouverture de l'Aerodrome—Règle 40 Suspendue  
Temporairement**

Sur la demande de Cyril de Putron, écuyer, Président du Comité des Etats de "STATES AIRPORT COUNCIL", la Cour a suspendu temporairement l'application de la Règle 40 de la Section V de la Cédule substituée à la Cédule II à l'Ordre intitulé "Air Navigation (Guernsey) Order, 1926" par Ordre en Conseil intitulé "Air Navigation (Amendment) (Channel Islands) Order, 1937," enregistré sur les Records de cette Ile le 12 février 1938, (laquelle Règle 40 prohibe l'acrobatie aérienne par les avions à une distance de moins de 4,000 verges du plus proche endroit du périmètre d'un aérodrome, à moins que le vol de tels avions est à une hauteur au-dessus de 6,000 pieds) et ce entre les neuf heures du matin et soleil couché de vendredi le 5 mai 1939 à l'occasion de l'ouverture officielle de l'Aérodrome des Etats situé à la Villiaze en cette Ile.

*Le 6 mai 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance par rapport aux Habillements d'Office de Monsieur le Juge et de Messieurs les Jurés de la Cour de l'Ile d'Auregny et des Officiers du Roi attachés à la dite Cour.**

VU les représentations faites à la Cour Royale par la Cour de l'Ile d'Auregny à l'effet qu'il serait à-propos

que Monsieur le Juge et Messieurs les Jurés de la Cour de l'Île d'Auregny et les Officiers du Roi attachés à la dite Cour seraient revêtus d'un Habille-ment d'Office lorsque dans l'exercice de leurs charges, auxquelles représentations la Cour Royale a assenti: 1939

LA COUR, ouies les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir: —

1.—A partir d'une date qui sera fixée par la Cour de l'Île d'Auregny, Monsieur le Juge et Messieurs les Jurés de la Cour de l'Île d'Auregny et les Officiers du Roi attachés à la dite Cour porteront respectivement lorsqu'exerçant les devoirs de leurs charges aux séances de la dite Cour dans la Salle d'Audience, les habillements d'office dont les détails sont ci-après spécifiés: —

(a) L'habillement d'office de Monsieur le Juge sera— Juge

- (i) une robe d'étoffe (anglicé "cloth") de couleur violette du modèle porté par Messieurs les Jurés de la Cour Royale mais doublé de soie de couleur marron et avec parements sur le devant et sur les manches de soie de la dite couleur:
- (ii) un rabat blanc: et
- (iii) un bonnet pareil à celui à être porté par les Jurés de la Cour Royale, couvert d'étoffe (anglicé "cloth") de couleur violette.

(b) L'habillement d'office de Messieurs les Jurés sera —

- (i) une robe d'étoffe (anglicé "cloth") de couleur violette du même modèle mais sans doublure ni parements:
- (ii) un rabat blanc: et
- (iii) un bonnet pareil à celui à être porté par Monsieur le Juge.

(c) L'habillement d'office du Procureur du Roi et du Greffier du Roi sera — Procureur et Greffier du Roi

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- (i) une robe du modèle porté par les Officiers du Roi auprès de la Cour Royale mais en étoffe (anglicé " Stuff ") de couleur noire:
- (ii) un rabat blanc: et
- (iii) un bonnet du modèle à être porté par Monsieur le Juge et Messieurs les Jurés couvert d'étoffe (anglicé " Stuff ") de couleur noire.

Sergent  
du Roi

- (d) L'habillement d'office du Sergent du Roi sera —
  - (i) une robe d'Huissier en étoffe noire pareille à celle portée par le Sergent du Roi attaché à la Cour Royale: et
  - (ii) un bonnet pareil à celui à être porté par le Procureur du Roi et le Greffier du Roi.

Prévôt  
du Roi

- (e) Le Prévôt du Roi portera une chaîne, avec plaque, en argent, la devise de l'Ile d'Auregny gravée sur la dite plaque.

*Le 5 juin 1939, par devant Victor Gosselin Carey, écuyer,  
Baillif, présents, etc.:*

**Remerciements à l'Escadron dit " No. 201 (General  
Reconnaissance) Squadron "**

Monsieur le Baillif ayant intimé à la Cour Royale que Wing-Commander C. H. Cahill, A.F.C., Officier Commandant l'Escadron dit " No. 201 (General Reconnaissance) Squadron " du Corps de Sa Majesté Britannique dit " Royal Air Force," lequel Escadron est affilié à cette Ile, a, à l'occasion de la visite à cette Ile le 26 mai 1939 d'un hydroavion du dit Escadron, présenté à cette Ile une Carte contenant l'histoire du dit Escadron et a confié à la Cour Royale en dépôt deux documents historiques encadrés appartenant au dit Escadron, c'est-à-dire: —

- 1<sup>o</sup>., le rapport original fait par le Flight Sub-Lieutenant R. A. J. Warneford de l'Escadron No. 1 du Corps dit " Royal Naval Air Service " —Escadron prédécesseur au dit Escadron No.

201—en date du 7 juin 1915 ayant référence à la destruction par lui accomplie le dit jour d'un dirigeable militaire allemand dans les environs de Bruges en Belgique: et

- 2<sup>o</sup>., l'original du télégramme envoyé le 8 juin 1915 de l'Amirauté Britannique à l'Officier Commandant le dit Escadron No. 1 intimant au dit Flight Sub-Lieutenant Warneford les félicitations de Sa Majesté le Roi Georges V. quant à cet exploit vaillant et à l'effet que Sa Majesté lui a accordé en considération d'icelui la décoration pour valeur dite " Victoria Cross ":

LA COUR, sensible de l'honneur ainsi fait et de la belle courtoisie ainsi manifestée à cette Ile par le dit Escadron, a prié Monsieur le Baillif de communiquer à l'Officier Commandant le dit Escadron au nom de la Cour Royale et des Habitants de cette Ile, leurs remerciements très sincères de tel don et de tel dépôt.

ET a la Cour Royale ordonné—

- (a) que la dite Carte sera encadrée convenablement et que telle Carte et les dits documents historiques seront accordés une place d'honneur dans la Salle d'Audience de la Cour Royale: et
- (b) qu'un extrait de ce présent Acte sous le Sceau du Bailliage sera envoyé au dit Escadron.

*Le 4 septembre 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents. etc.:*

**Ordonnance déclarant Lundi le 4 septembre 1939,  
un Jour Férié limité**

LA COUR, en vue de la présente émergence et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir: —

En ce qui concerne l'année 1939, l'Ordonnance relative aux Jours Fériés passée aux Chefs Plaids d'après Noël remis au 3 février 1906 et renouvelée comme

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Ordonnance permanente aux Chefs Plaids d'après Noël tenus le 18 janvier 1909 aura effet en ce qui concerne les banques et les succursales de banque seulement comme si les mots "Lundi, le 4 septembre 1939" furent insérés immédiatement après les mots "Le premier Lundi du mois d'Août" dans l'alinéa 1 de la dite Ordonnance.

*Le 11 novembre 1939, par devant Victor Gosselin Carey, écuyer, Bailli, présents, etc.:*

**Egouts—St. Pierre Port, St. Martin et St. André**

Il a été permis à James Frederick Carey, écuyer, Président des Conseils pour les Egouts des paroisses de Saint Pierre Port, Saint Martin et Saint André respectivement, de construire des égouts en les dites paroisses comme suit, savoir:—

1. en la paroisse de Saint Pierre Port —
  - (a) le long de la Ruelle de Fermain pour une longueur de 140 verges ou environ depuis la Rue de Putron en procédant vers le sud;
  - (b) le long de la partie de l'ouest d'une ruelle menant de la Route des Guelles au Mont Arrivé, pour une longueur de 98 verges ou environ;
2. en la paroisse de Saint Martin —
  - (a) le long de la partie de l'Est de la Route des Camps pour une longueur de 500 verges ou environ;
  - (b) le long de la Route des Vauriufs depuis la Route des Huriaux jusqu'à la Ruelle des Quatre Vents;
  - (c) le long de la Route des Hubits de Haut et de la Ruelle du Douit de la Porte;
  - (d) le long de la Rue Cauchez et de partie de la Route des Câches;
3. en la paroisse de Saint André —
  - (a) le long de la Route de la Brigade;

(b) le long de la Route de la Croix au Baillif depuis la Ruette des Pointes jusqu'à un point proche une maison dite "Whincroft";

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le tout aux fins de l'Article IV de la Loi relative aux Egouts' Paroissiaux sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 mai 1922, enregistré sur les Records de cette Ile le 20 mai 1922.

*Le 16 décembre 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Communes du Valle—Certains droits cédés au  
"Postmaster General"**

Sur le remède demandé par les Officiers du Roi, agissant pour le Directeur-Général des Postes de Sa Majesté (anglicé) "His Majesty's Postmaster General" en Angleterre, suppliant la Cour de statuer sur le rapport par écrit du Conseil des Communes du Valle en date du 11 décembre courant constatant que — sur la requête des dits Officiers du Roi au dit nom qu'il soit quitté, cédé, délaissé et totalement transporté en fin et perpétuité d'héritage au dit Directeur-Général des Postes pour et au nom de Sa Majesté par les Habitants du Clos du Valle tous et tels droits et privilèges de Commune et de vaine pâture, ou de quelqu'autre espèce que ce soit, comme peuvent compéter et appartenir aux dits Habitants par rapport à un morceau de terre en Commune compris dans un certain terrain faisant partie des Terres vastes et vacantes et non en perchage dans le dit Clos du Valle communément appelé la Lande, le dit morceau de terre mesurant une vergée deux perches ou environ et indiqué en teint bleu sur un plan présentement soumis à la Cour—situé à l'Est et au Nord-est ou environ de la partie du Nord du bâtiment contenant le mécanisme desservant le Phare de la Platte Fougère, appartenant aux Etats de cette Ile; au Sud-est ou environ de et bordant partie du chemin menant au dit Fort Doyle; au Sud ou environ du terrain attenant au dit Fort Doyle appartenant aux

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— dits Etats et à l'Ouest ou environ du rivage de la mer; le dit Directeur-Général des Postes de Sa Majesté désirant ériger sur le dit morceau de terre, qu'il se propose de prendre à rente des propriétaires actuels d'icelui, tel édifice ou édifices en rapport avec les systèmes télégraphiques et téléphoniques de Sa Majesté et des Etats de cette Ile que Sa Majesté, Ses Nobles Hoirs et Successeurs et ayants cause qui seront jugés à propos,— le dit Conseil recommande qu'il est expédient d'acquiescer à la dite requête à la condition spécifiée dans le dit rapport, nul ne s'y étant opposé lors de l'assemblée des Habitants du dit Clos du Valle dûment convoquée ainsi qu'il est narré dans le dit rapport. LA COUR a ordonné que le dit rapport soit enregistré sur les Records de cette Ile.

### RAPPORT

Le onze décembre, mil neuf cent trente-neuf. Nous soussignés Président et Conseillers du Conseil des Communes du Valle — sur la requête des Officiers du Roi, agissant pour le Directeur-Général des Postes de Sa Majesté (anglicé) "His Majesty's Postmaster General" en Angleterre qu'il soit quitté, cédé, délaissé et totalement transporté en fin et perpétuité d'héritage au dit Directeur-Général des Postes pour et au nom de Sa Majesté par les Habitants du Clos du Valle tous et tels droits et privilèges de Commune et de vaine pâture, ou de quelque autre espèce que ce soit, comme peuvent compéter et appartenir aux dits Habitants par rapport à un morceau de terre en Commune compris dans un certain terrain faisant partie des Terres vastes et vacantes et non en perchage dans le dit Clos du Valle communément appelé la Lande, le dit morceau de terre — mesurant une vergée deux perches ou environ et indiqué en teint bleu sur un plan qui a été produit au dit Conseil — situé à l'Est et au Nord-est ou environ de la partie du Nord du bâtiment contenant le mécanisme desservant le Phare de la Platte Fougère, appartenant aux Etats de cette Ile; au Sud-est

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ou environ de et bordant partie du chemin menant au dit Fort Doyle; au Sud ou environ du terrain attenant au dit Fort Doyle appartenant aux dits Etats et à l'Ouest ou environ du rivage de la mer; le dit Directeur-Général des Postes de Sa Majesté désirant ériger sur le dit morceau de terre, qu'il se propose de prendre à rente des propriétaires actuels d'icelui, tel édifice ou édifices en rapport avec les systèmes télégraphiques et téléphoniques de Sa Majesté et des Etats de cette Ile qui seront jugés à propos, ayant convoqué une assemblée des dits Habitants du Clos du Valle a fin que tous et un chacun d'iceux aient la faculté de faire valoir leurs objections à la dite délaissance proposée CERTIFIONS avoir tenu la dite assemblée, deux seulement des dits Habitants y étant aussi présents et que, après qu'il a paru que les publications et autres formalités à ce requises et nécessaires ont été dûment faites et observées, personne ne s'est présentée comme opposant à ce que dessus. Et nous recommandons qu'il est expédient d'acquiescer à la dite requête sujet à la Sanction de Sa Très Excellente Majesté en Conseil, si telle Sanction est jugée nécessaire.

Tel est le rapport que nous en donnons aux dits Officiers du Roi au dit nom pour s'en servir.

T. J. BICHARD, Président.

C. E. STACEY, }  
HENRY T. BEAN, } Conseillers.

*Le 27 décembre 1939, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance autorisant l'Obtention de Renseignements concernant les Stocks de Bière, de Liqueurs Spiritueuses et de Cordiaux, de Tabac et de Cigarettes tenus par les Commerçants le 1er janvier, 1940.**

VU les délibérations des Etats en date du 27 décembre 1939, augmentant les Impôts sur la Bière brassée dans l'Ile, la Bière Importée, les Liqueurs

1939

Spiritueuses, les Cordiaux, les Tabacs (anglicé) "Leaf unstripped, leaf stripped and Manufactured Tobacco", et les Cigarettes, avec effet à compter du 1er janvier 1940, et statuant que telle augmentation d'Impôts devra s'appliquer aux stocks de telles marchandises tenus par les commerçants au commencement du dit jour 1er janvier 1940:

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

Traders  
to give  
details of  
stocks held

1.—It shall be the duty of every trader in the Island of Guernsey who holds, as at the commencement of the 1st day of January, 1940, a stock of any of the following commodities:—

1. Imported Beer.
2. Locally Brewed Beer.
3. Spirits.
4. Dutiable Cordials.
5. Tobacco
  - Leaf unstripped,
  - Leaf stripped,
  - Manufactured.
6. Cigarettes.

to furnish to the Treasurer of the States before the 3rd day of January, 1940, a statement in writing, signed by that trader, in such form as the Treasurer of the States may prescribe, setting forth in detail the quantities and kinds of those commodities so held in stock by that trader.

States'  
Revenue  
Officers  
may enter  
traders'  
premises

2.—(1) It shall be lawful for the Treasurer of the States and any other States Revenue Officer thereunto authorised by the Treasurer of the States, to enter every part of the premises of every trader known, believed or suspected to hold, as at the commencement of the 1st day of January, 1940, a stock of any one or more of the commodities specified in the preceding Section, for the purpose of ascertaining the quantity and kind of each such commodity so held in stock.

(2) Such entry may be made at any time, not being earlier than 8 a.m. nor later than 6 p.m., before the 5th day of January, 1940. 1939

3.—For the purposes of this Ordinance, the expression “trader” includes any brewer or manufacturer of any of the commodities specified in Section 1 of this Ordinance. “Trader” includes brewer or manufacturer

4.—(1) If any person makes default in furnishing any statement which he is required by this Ordinance to furnish to the Treasurer of the States, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding £20 and, in addition to such fine, to a penalty at the rate of £5 in respect of each day or part of a day during which such default continues. Penalties for default

(2) If any person required under this Ordinance to furnish a statement to the Treasurer of the States knowingly or recklessly furnishes a false statement, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding £100. False Statements

(3) If any person impedes the lawful entry of any States Revenue Official upon any part of the business premises of a trader for the purpose of carrying out his duties under the provisions of Section 2 of this Ordinance, that person shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding £50. Penalty for impeding lawful entry

5.—Where an offence under this Ordinance committed by a body corporate is committed with the consent or approval of, or is facilitated by any negligence on the part of any director, manager, secretary, or other official of the body corporate, he, as well as the body corporate, shall be deemed guilty of the offence and shall be liable to be proceeded against and punished accordingly. Liability of directors and other officials

1940 *Le 22 janvier 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Chapelle Baptiste Française d'Israel licenciée pour Mariages**

La Chapelle Baptiste Française d'Israel, située aux Jéhans en la paroisse de Torteval, a ce jour été licenciée pour la célébration de Mariages.

*Le 2 mars 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance aux fins de l'Article 2, de l'Article 46 et de l'Article 48 de la Loi dite "The Mental Treatment Law (Guernsey), 1939."**

LA COUR, en vertu des dispositions de l'alinéa (1) de l'Article 2, de l'Article 46 et de l'alinéa (2) de l'Article 48 de la Loi dite "The Mental Treatment Law (Guernsey), 1939", et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

**ARTICLE 1.—"APPOINTED DAY" UNDER MENTAL TREATMENT LAW (GUERNSEY) 1939".**

The sixth day of March, 1940, shall be the "appointed day" within the meaning and for the purposes of the provisions of Article 2 (entitled "Establishment and Composition of States' Mental Health Services Board") of the Mental Treatment Law (Guernsey), 1939 (hereinafter referred to as "the Law");

**ARTICLE 2.—COMMENCEMENT OF CERTAIN ARTICLES OF THE LAW.**

Every Article of the Law not already in operation on the day on which this Ordinance is passed shall come into operation at the beginning of the appointed day provided for in the foregoing Article of this Ordinance;

ET a de plus ordonné qu'un exemplaire de cette présente Ordonnance sera transmis à M. le Sénéchal de Serk pour être enregistré sur les Records de la dite Ile, et que cette présente Ordonnance sera publiée dans la Gazette Officielle.

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*Le 16 mars 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Chapelle Méthodiste des Adams licenciée pour Mariages**

La Chapelle dite "Les Adams Methodist Chapel," située en la paroisse de Saint Pierre du Bois, a ce jour été licenciée pour la célébration de Mariages.

*Le 13 avril 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance autorisant l'Obtention de certains Renseignements par le Comité dit "States Family Allowance Investigation Committee"**

VU les représentations du Comité des Etats dit "States Family Allowance Investigation Committee" que l'exécution de leur mandat rend nécessaire l'obtention de certains renseignements de personnes représentatives des classes ouvrières;

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

1.—The Family Allowance Investigation Committee appointed by the States on the 17th day of January, 1940 (hereinafter referred to as "the Committee") is hereby empowered by letter addressed to any person, being an insured person under the Contributory Pensions Law, 1935, at his or her ordinary place of residence in the form marked "A" contained in the Schedule to this Ordinance, to require that person within the seven days next following the receipt by that person of that letter

Investigation  
Committee  
empowered  
to obtain  
particulars

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to complete the form marked "B" contained in that Schedule, and to date and sign that form and to return it to the Committee in an envelope with the postage prepaid thereon to be supplied to that person by the Committee.

Penalties  
for non-  
compliance  
or false  
statements

2.—If any such person to whom such a letter is so addressed fails to comply with the requirement of the Committee within such period as aforesaid, that person shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding ten shillings, and if any such person in completing such form shall make any statement therein which that person knows to be false in a material respect or recklessly make any statement therein which is false in a material respect, that person shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding £1.

## SCHEDULE

"A"

Name and Address

### FAMILY ALLOWANCES ENQUIRY

States Office, Guernsey,

Date

DEAR SIR (OR MADAM),

The Committee appointed by the States to enquire into the possibilities of a scheme for the payment of children's allowances requires you to complete the following form and to date and sign the form and return it to the Committee in the enclosed stamped addressed envelope within seven days.

President,

Family Allowances Investigation Committee.

"B"

Give the following particulars of all living children of your present marriage or of a former marriage of

yourself or your wife\* (or husband\*) who, as at the 20th day of April, 1940, are under 15 years of age. (If there are no such children under 15 write " Nil " across space below).

1940

| Child's Full Christian Name(s) | Date of Child's Birth |       |      |
|--------------------------------|-----------------------|-------|------|
|                                | Day                   | Month | Year |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |
|                                |                       |       |      |

(Date).....

(Signature).....

\* Delete inapplicable words.

*Le 24 mai 1940, par devant Victor Gosselin Carey, écuyer,  
Baillif, présents, etc.:*

**Chartres, etc., déposés à une banque**

LA COUR, ouïes les conclusions des Officiers du Roi, a autorisé le Greffier du Roi à déposer dans la voûte de la Société dite " National Provincial Bank Limited " au numéro 29 à la Grande Rue en la paroisse de Saint Pierre Port, pour la durée de la guerre, une boîte scellée contenant des chartres, des livres et autres effets décrits dans la liste ci-dessous, savoir: —

\* \* \* \* \*

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*Le 25 mai 1940, par devant Victor Gosselin Carey, écuyer,  
Baillif, présents, etc.:*

**Ordonnance déclarant le jour fixé pour la célébration  
en 1940 du jour de naissance de Sa Majesté n'être pas  
un Jour Férié**

LA COUR, ouïes les conclusions des Officiers du  
Roi, a ordonné et ordonne comme suit, savoir: —

Nonobstant les dispositions de l'Ordonnance relative  
aux Jours Fériés rendue permanente le 12 décembre 1908.  
l'Ordonnance provisoire contenant les Règlements pour  
le Greffe passée le 25 octobre 1930 et l'Ordonnance  
provisoire portant règlement pour le Bureau du Regis-  
traire des Morts passée le 20 octobre 1917 — jeudi le  
13 juin 1940, étant le jour fixé pour le célébration en  
1940 du jour de la naissance de Sa Majesté, ne sera pas  
un jour férié ni un jour de relâche au Greffe et sera censé  
n'être pas inclus parmi les jours compris dans le  
deuxième alinéa d'exceptions contenu dans la susdite  
Ordonnance du 20 octobre 1917.

*Le 20 juin 1940, par devant Victor Gosselin Carey,  
écuyer, Baillif, présents, etc.:*

**M. le Baillif sermenté Lieutenant Gouverneur Civil**

Monsieur le Baillif ayant ce jour communiqué à  
la Cour copie d'une lettre adressée au Lieutenant  
Gouverneur en date du 19 juin 1940, dont la teneur  
suit: —

Home Office, Whitehall.

19th June, 1940.

Sir,

I am directed by the Secretary of State to say that  
in the event of your recall it is desired by His Majesty's  
Government that the Bailiff should discharge the duties  
of Lieutenant Governor, which would then be confined  
to civil duties, and that he should stay at his post and

administer the government of the Island to the best of his abilities in the interests of the inhabitants, whether or not he is in a position to receive instructions from His Majesty's Government. The Crown Officers also should remain at their posts.

1940

I am, Sir,  
Your obedient Servant,  
A. MAXWELL.

The Lieutenant Governor,  
Government Office,  
GUERNSEY.

Aylmer Mackworth Drake, écuyer, Lieutenant Baillif, a ensuite administré au Baillif le serment qui suit:—

You swear on the faith and truth that you owe to God that well and faithfully you will discharge the office of Lieutenant Governor of this Bailiwick in so far as civil duties only appertain. So help you God.

*Le 6 juillet 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Greffier autorisé à enregistrer ordres faits par Comités**

LA COUR, ouïes les conclusions du Contrôle du Roi, a autorisé le Greffier du Roi à enregistrer sur les records de cette Ile "par être logé," sans Acte de la Cour Royale, tous ordres et règlements faits sous l'autorité du Comité des Etats dit "The Controlling Committee of the States of Guernsey" et le Comité dit "The Guernsey States' Committee for the Control of Essential Commodities."

*Le 20 juillet 1940, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance prescrivant un Recensement Insulaire, 1940**

Sur les représentations du Comité dit "THE CONTROLLING COMMITTEE OF THE STATES OF GUERNSEY" qu'en conséquence de l'évacuation récente d'un grand

1940

nombre des habitants de cette Ile il convient qu'un recensement spécial soit fait afin que ceux ayant le devoir d'étudier les questions qui se soulèvent concernant principalement l'emploi des ouvriers et la fourniture des aliments pour la population aient les informations nécessaires pour les mettre à même d'étudier les dites questions et, aussi loin que cela se pourrait, de résoudre les difficultés y relatives. LA COUR, ouïes les conclusions des Officiers du Roi a ordonné et ordonne: —

## DEFINITIONS

1. In this Ordinance, unless the context otherwise requires:—

The masculine gender includes the feminine.

“The Control Committee” means “The Controlling Committee of the States of Guernsey.”

“Habitation” comprises respectively houses, cottages, tenements, hotels, lodging-houses and all hospitals, nursing homes, institutions, and other establishments and places of every kind where one or more human beings are living, including ships and boats, but excluding places occupied solely by members of the German Forces.

“Resident Head” means a person who being in the place concerned at midnight on Sunday, the 28th day of July 1940 is (a) the head, or the person for the time being acting as the head, of the household in which he is so residing, (b) the manager or other person for the time being in charge of the hotel, lodging-house, hospital, or other establishment in which he is so residing, (c) the captain or other person for the time being in charge of any ship or boat in which he is so residing, (d) the person resident in and being in charge of any other establishment, institution or place in which he is so residing.

2. Census Returns shall be in the form contained on 1940  
the Schedule hereto. Form of  
Return
3. Before the 25th day of July, 1940, the Control Committee shall send or cause to be sent through the post or otherwise, to every habitation in this Island a print of the Census Return for completion by the person who shall be the Resident Head of such habitation at midnight of Sunday the 28th day of July 1940. Census  
Return to  
be completed  
by the  
Resident  
Head
4. During Monday the 29th day of July, 1940, the Resident Head of every habitation in this Island of Guernsey without exception shall complete a form of Census Return to be supplied by the States of Guernsey on which he shall write or cause to be written in ink the full names and other particulars required to complete the said form concerning every person both male and female (other than a member of the German Forces, or a prisoner of war in the hands of the German Forces) who shall have slept in such habitation on the night then last past. Names and  
other  
particulars  
to be  
given
5. If the Resident Head of any habitation is unable to complete the form supplied to him by writing in the required particulars concerning any person whose name and other particulars should appear thereon he shall fill in such particulars as he may be able to supply and mark the remainder "unknown." If the Resident Head has reason to believe that such person intends to make an individual return then opposite the name of such person the Resident Head should write the words "Separate Return." Particulars  
"unknown"
6. If any person is desirous that particulars concerning himself be not included in the Census Return required to be made by the Resident Head of his habitation such person shall procure Separate  
returns

1940

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a separate form of Census Return and complete and deal with the same in respect of himself as if he were a Resident Head.

Additional forms

7. Any person required by this Ordinance to complete a Census Return and who shall not have been supplied with a form for so doing by noon on Thursday the 25th day of July, 1940, must procure such a form from one of the Constables of his Parish, or any Post Office in office hours before noon on July the 26th, 1940.

Return of forms

8. On completion of the Census Return for which he is responsible the Resident Head shall sign the same and he shall place it or cause it to be placed, unfolded and unstamped, in any Post Office Letter Box in this Island before 9 a.m. on Tuesday the 30th day of July, 1940, or deliver it by hand to the Special Census Officer at Saumarez Park or at Elizabeth College by noon on that same day.

Penalties

9. Any person who:—

- (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Ordinance, or
  - (b) wilfully or carelessly inserts any inaccurate particulars in a Census Return required to be made by him under this Ordinance shall be guilty of an offence and be liable on conviction to a fine not exceeding ten pounds.
-



1940 *Le 7 août 1940, par devant Victor Gosselin Carey, écuyer,  
Baillif présents, etc.:*

**Ordonnance déclarant Cours Légal dans ce Bailliage  
les Billets et Monnaies Allemands**

LA COUR, sur les représentations du Commandant Allemand et ouïes les conclusions des Officiers du Roi a ordonné et ordonne:—

Toutes personnes seront tenues d'accepter en paiement de dettes qui leur seront dues les billets et les monnaies allemands selon les taux fixés ou qui seront fixés de temps à autre par le Commandant Allemand—pourvu toutefois que personne ne sera tenu d'accepter des pièces de pfennig excédant un Reichmark en valeur en paiement ou paiement partiel d'une dette.

ET restera cette Ordonnance en force pendant toute la durée de l'occupation de ce Bailliage par les Forces Allemandes.

*Le 1er février 1941, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance fixant les jour et heure où "The Sales Tax  
(No. 1 Amendment) Law, 1941," viendra en force**

LA COUR, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne:—

"The Sales Tax (No. 1 Amendment) Law, 1941," shall come into force at midnight on the ninth day of February, 1941.

*Le 6 septembre 1941, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance de 1941 relative à la Coupure  
de Broussailles**

LA COUR, sur les représentations faites par le Comité dit "The Controlling Committee of the States of Guernsey" qui'il est à désirer que les mûres poussant

sur les haies ne soient pas perdues ce qui serait le cas si les haies étaient coupées à la date du 15 septembre comme le prescrit l'Ordonnance actuelle, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne: —

Qu'en ce qui concerne l'année 1941 seulement les mots " et avant le 31 octobre 1941 " seront substitués aux mots " et pendant les premiers quinze jours du mois de septembre de chaque année " dans les Articles 1 et 2 de l'Ordonnance supplémentaire relative aux Routes, Rues et Chemins passée le 5 octobre 1896—pourvu toutefois que toute personne ayant la charge d'une haie se conformera à tel avis qu'elle puisse recevoir des Connétables de la Paroisse sur laquelle telle haie est située à l'effet qu'elle doit couper telle haie avant le 31 octobre 1941 sous peine d'une amende d'une livre sterling.

*Le 12 juin 1943, par devant Victor Gosselin Carey, écuyer, Bailli, présents, etc.:*

**Ordonnance relative aux Lettres de Change  
et Billets à Ordre**

ATTENDU qu'à plusieurs reprises certaines localités en cette Ile ont été inaccessibles au public à cause d'opérations militaires:

ATTENDU qu'il est possible qu'il y aura d'autres occasions semblables dans le cours de la présente guerre:

LA COUR, ouïes les conclusions du Procureur Général Délégué, a ordonné et ordonne comme suit, savoir: —

1.—Every Bill of Exchange which becomes due and payable on a fixed date at a place within the limits of a locality which is or which has been officially declared to be out of bounds to the general public on that day or any part thereof through military or other operations shall be payable, and in the case of non-payment may be noted and protested, on the ensuing day, not being a Sunday

Bills of  
Exchange  
payable  
within the  
limits of a  
locality  
declared to  
be out of  
bounds

1944 or a Bank Holiday, on which such place shall be free from restriction.

Intimation to be given on the ensuing day not being Sunday or a Bank Holiday

2.—When intimation should be given on a fixed date at a place within the limits of a locality which is or which has been officially declared to be out of bounds to the general public on that day or any part thereof through military or other operations of the non-payment of a Bill of Exchange, intimation shall be given on the ensuing day, not being a Sunday or a Bank Holiday, on which such place shall be free from such restriction.

*Le 26 août 1944, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Chapelle Méthodiste Rocquaine licenciée pour Mariages**

La Chapelle Méthodiste dite “Rocquaine,” située en la paroisse de Saint Pierre du Bois, a ce jour été licenciée pour la célébration de Mariages.

*Le 11 mai 1945, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance par rapport aux Ordres émis par aucun Officier appelé “Competent Military Authority” désigné par l’Officier appelé “Officer for the time being in Command of the Armed Forces in the Channel Islands”**

LA COUR, ouïes les conclusions du Procureur Délégué du Roi, a ordonné et ordonne que les dispositions suivantes rédigées en anglais auront effet partout dans les Iles de ce Bailliage et dans les eaux territoriales des dites Iles.

“The Competent Military Authority’s Orders”

1.—It shall be the duty of His Majesty’s Greffier of Guernsey in that Island and of the Greffier of Sark in that Island:—

(a) to keep himself informed of all Orders already published in the public press and those which

may hereafter be promulgated to the public by means of the public press or otherwise by any Competent Military Authority designated by the Officer for the time being in Command of the Armed Forces in the Channel Islands, all of which orders are hereinafter comprised in the expression "The Competent Military Authority's Orders," and

1945

- (b) to keep the Competent Military Authority's Orders duly registered in a convenient manner as part of the Public Records.

2.—In addition to the penalties for offences that are or may be punishable under British Military Law any person guilty of any contravention of the Competent Military Authority's Orders shall be amenable to the penalties prescribed in respect of contraventions of the Defence (Channel Islands) Regulations, 1944.

*Le 26 mai 1945. par devant Victor Gosselin Carey, écuyer,  
Baillif, présents. etc.:*

**Ordonnance rappelant certains Billets émis  
par les Etats de Guernesey**

LA COUR, sur les représentations du Comité dit "The Controlling Committee of the States of Guernsey" et ouïes les conclusions du Procureur Délégué du Roi, a, par voie des dispositions suivantes rédigées en anglais, ordonné et ordonne comme suit, savoir:

All Currency notes of the denomination respectively of One pound and Ten shillings issued by the States of Guernsey on or before the 9th March, 1940, shall cease to be legal tender after the 31st May, 1945.

Currency Notes issued before 9th March, 1940

1945 *Le 2 juin 1945, par devant Victor Gosselin Carey, écuyer,  
Baillif, présents, etc.:*

**Ordonnance par rapport à la Visite de  
Sa Majesté le Roi Georges VI.**

ATTENDU que Sa Très Excellente Majesté le Roi Georges VI. a intimé son intention de visiter cette Ile Mercredi, le 6 juin prochain, accompagné de Sa Très Excellente Majesté la Reine:

LA COUR, ouïes les conclusions du Procureur Délégué du Roi, a ordonné et ordonne:

Le 6 juin  
1945  
jour férié  
Lettres de  
change ou  
billets à  
ordre

1.—Que mercredi le 6 juin prochain sera un jour férié.

2.—Que toutes lettres de change ou billets à ordre qui deviendront dûs et payables le dit jour 6 juin courant seront payables le jeudi ensuivant, et en cas de non paiement pourront être notés et protestés jeudi le 7 juin courant au lieu de mercredi le 6 juin courant, et connaissance de non paiement d'une lettre de change ou d'un billet à ordre qui devrait être donnée le dit jour 6 juin courant sera donnée le 7 juin courant.

*Le 14 juillet 1945, par devant Messire Abraham James  
Lainé, K.C.I.E., Lieut.-Baillif, présents, etc.:*

**Ordonnance dite " The Control of Cereals  
Ordinance (1945) "**

LA COUR, ouïes les conclusions du Procureur Délégué du Roi, a ordonné et ordonne que les dispositions suivantes rédigées en anglais auront force de loi en cette Ile.

Definition of  
" Cereals "

1.—In this Ordinance the expression " cereals " means all wheats, oats, barley and rye grown in the Island of Guernsey in 1945.

Delivery

2.—As soon as standing cereals reach maturity the grower or owner thereof shall harvest such cereals and in due course such cereals shall be delivered by the owner

thereof for threshing at such place or places as shall be appointed by the States Supervisor (hereinafter called the Supervisor). 1915

3.—The grain of all cereals shall be sold by the owner thereof to the States who shall purchase all such grain, save as is provided in Section 5 (2) of this Ordinance, at a rate not exceeding 27/6 per hundredweight according to quality. Grain to be sold to the States

4.—The threshing shall be at the cost of the grower or owner of the cereals and shall be under the direction of the Supervisor. Threshing

5.—When the threshing has been completed:—

- (1) The grower or owner of the cereals shall immediately take and remove all straw from the place of threshing. Removal of Straw
- (2) The threshed grain shall be taken possession of by the Supervisor who shall allow the owner thereof to retain for himself 15 per cent. of such grain in the case of oats and 7½ per cent. in the case of all other cereals. The owner to retain a percentage of the grain
- (3) The remainder of the grain shall be graded and weighed by the Supervisor as soon as conveniently possible. The remainder to be graded and weighed

6.—The Supervisor may delegate all or any of his powers under this Ordinance to any Agricultural Committee, Board or Officer of the States. The Supervisor may delegate powers

7.—Any person who contravenes or attempts to contravene any of the provisions of this Ordinance or who in any way obstructs or interferes with or attempts to obstruct or interfere with any official in the execution of any duties assigned to him in relation to this Ordinance shall be liable on conviction to a fine not exceeding £100 or to a term of imprisonment not exceeding one year, or to both such fine and such imprisonment. Penalties

8.—The Control of Cereals Ordinance, 1945, is hereby repealed. Repeal

1945

*Le 21 juillet 1945, par devant Victor Gosselin Carey, écuyer, Bailli, présents, etc.:*

**The Defence (Channel Islands) Regulations, 1945**

**Ordonnance dite " The Civilian Billeting Ordinance, 1945 "**

In exercise of the powers conferred upon the Royal Court of the Island of Guernsey by the Emergency Powers (Channel Islands) Order in Council, 1944, the Royal Court, with the approval of the officer for the time being in Command of the Armed Forces in the Channel Islands and having heard the conclusions of H.M. Procureur, hereby orders that the following Defence Regulation hereby made shall be promulgated forthwith and take effect in the Island of Guernsey in accordance with Regulation one hundred and five of the Defence (Channel Islands) Regulations, 1944.

Billeting notices

22.—(1) Any person acting in the Island of Guernsey under the authority of the Housing Authority may serve upon the occupier of any premises a written notice (hereinafter referred to as " a billeting notice ") requiring the occupier of the premises to furnish therein, while the notice remains in force, such accommodation by way of lodging or food or both, and either with or without attendance, as may be specified in the notice for such persons (not being members of the Armed Forces) as may be so specified.

Exclusive use of rooms

(2) Where a room in any premises is required by a billeting notice to be devoted exclusively to the accommodation of any person, then, notwithstanding anything in any contract, no other person shall be entitled to occupy the room so long as that requirement is in force.

Billeting Officer

(3) Any person having power to serve a billeting notice is hereinafter referred to as " a billeting officer."

Occupiers of premises to furnish information

(4) The occupier of any premises shall, if requested so to do by a billeting officer, furnish to such authority or person as may be specified in the request such information

with respect to the accommodation contained in the premises and with respect to the persons living therein, as may be so specified. 1945

(5) The price payable in respect of any accommodation furnished in any premises to any person in accordance with the billeting notice shall be such as may be determined by Resolution of the Insular Government and shall be paid to the occupier of the premises by the Insular Government; and the amount so paid may be recovered by the Insular Government, as a civil debt, from that person or his personal representative or any person liable to maintain him. Price payable  
for  
accommodation

(6) A billeting officer may revoke a billeting notice served by him or by a predecessor of his in office relating to any premises, without prejudice to the service of a further billeting notice relating to those premises; and the Housing Authority may by order direct that all billeting notices served by their authority and for the time being in force shall cease to have effect, either generally or as respects premises in a particular area. Revocation of  
billeting  
notice

(7) Where—

- (a) a billeting notice is revoked or ceases to have effect under the last preceding paragraph, or
- (b) accommodation required by a billeting notice to be provided for any person ceases to be provided,

Surrender of  
billeting  
notice

the occupier of the premises to which the billeting notice relates shall forthwith surrender it to a billeting officer, who shall cancel or amend the notice, as the case may require.

(8) If any person contravenes or fails to comply with the requirements of a billeting notice or with any of the requirements of this Regulation, he shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment. Penalties

1945  
Complaints

(9) The Royal Court, sitting as an Ordinary Court, shall hear complaints in respect of billeting notices and any person who is aggrieved by the service upon him of a billeting notice or by the operation of a billeting notice served upon him, may make a complaint to that Court by causing to be delivered at the Greffe a letter addressed to H.M. Greffier setting forth the nature of the complaint and having the billeting notice attached thereto; and upon hearing the complaint on such date and at such time as shall have been previously notified to that person and to the Housing Authority, the Court may confirm, cancel or vary the billeting notice as the Court thinks fit.

Care of children

(10) It shall be the duty of the occupier of any premises in which accommodation for any child not accompanied by a person otherwise responsible for his care is so furnished as aforesaid to care for the child to the best of the occupier's ability.

Service of billeting notice

(11) A billeting notice relating to any premises may, if it is not practicable to deliver it to the occupier of the premises, be served by delivering it to any person on the premises.

(12) This Regulation shall for all purposes be deemed to form part of the Defence (Channel Islands) Regulations, 1944.

*The 24th day of August, 1945, before Victor Gosselin Carey, Esquire, Bailiff, present, etc.:*

**Defence Regulations (Guernsey) 1945.**

**The Defence Regulations (Guernsey), 1945, Ordinance.**

WHEREAS in exercise of the powers conferred on him by sub-section (1) of Section Four of the Emergency Powers (Defence) Act, 1939, His Majesty was pleased by the Emergency Powers (Channel Islands) Order in Council, 1944 (hereinafter referred to as "the 1944 Order in Council") to extend certain of the provisions

of the said Act to the Channel Islands subject to the adaptations and modifications contained in the Schedule to that Order; and

WHEREAS in exercise of the powers aforesaid His Majesty was pleased by the Emergency Powers (Guernsey) Order in Council, 1945 (hereinafter referred to as "the 1945 Order in Council") to direct that the 1944 Order in Council shall cease to have effect so far as it applies to the Bailiwick of Guernsey, on the twenty-fifth day of August, 1945; to extend certain of the provisions of the said Act to the Bailiwick of Guernsey subject to the adaptations and modifications contained in the Schedule to the 1945 Order in Council; and to authorise the making by the Royal Court of Defence Regulations as respects the Bailiwick of Guernsey excluding the Island of Alderney but so that no Defence Regulation made before the twenty-fifth day of August, 1945, for the purpose of continuing in force whether with or without modifications, any Defence Regulation for the time being in force in relation to the said Bailiwick under the said Act as so extended by the 1944 Order in Council, shall come into operation until that date; and

WHEREAS, in pursuance of the 1944 Order in Council, Defence Regulations have been made and orders, directions, authorities, permits, licenses and instructions (hereinafter referred to as "derivative acts") have been made, given and issued thereunder, and it is expedient to continue certain of them in force in relation to the said Bailiwick (excluding the Island of Alderney) subject to certain modifications:

NOW THEREFORE the Royal Court, after hearing the conclusions of His Majesty's Procureur, in exercise of the powers thereunto enabling it, has ordered and hereby orders that the Regulation hereinafter contained shall have effect on and after the twenty-fifth day of August, 1945, in the Bailiwick of Guernsey excluding the Island of Alderney, and that a copy of this Ordinance

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shall be transmitted to the Seneschal of the Island of Sark for registration on the records of that Island.

106.—(1) The Defence Regulations made in pursuance of the 1944 Order in Council and such derivative acts as are applicable to the Bailiwick of Guernsey or to any part thereof other than those derivative acts applicable exclusively to the Island of Alderney (with the exception of the Defence Regulations and of those parts of Defence Regulations specified in the First Schedule hereto and of the derivative act and part thereof specified in the Second Schedule hereto), and are in force immediately before the twenty-fifth day of August, 1945, shall, notwithstanding that the 1944 Order in Council will cease to have effect on that date, continue to have effect on and after that date, subject to the provisions of Paragraph (2) of this Regulation, as though such Defence Regulations had been made in pursuance of the 1945 Order in Council and such derivative acts had been done under Defence Regulations so made:

PROVIDED that any such Defence Regulation may be varied or revoked at any time by the Authority empowered under the 1945 Order in Council to make Defence Regulations and that any such derivative act may be varied or revoked at any time by the Competent Authority.

(2) The Defence Regulations continuing to have effect by virtue of this Regulation shall be construed and have effect subject to the provisions contained in the Third Schedule hereto and the derivative acts continuing to have effect by virtue of this Regulation shall be construed and have effect subject to the provisions contained in the Fourth Schedule hereto.

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## FIRST SCHEDULE

1945

*Defence Regulations and parts of Defence Regulations not continued in force after the 24th August, 1945, in relation to the Bailiwick of Guernsey (excluding the Island of Alderney).*

Sub-paragraphs (c) and (d) of paragraph (1) and paragraphs (2) and (3) of Regulation 1.

Regulations 1B, 1C, 2C, 2D, 3A, 4A, 4B, 4C, 5.

The words “(a) is intended to be received by a person on board a vessel at sea or an aircraft in flight, or (b)”

contained in paragraph (1) of Regulation 7 and paragraphs (2) and (3) of that Regulation.

Paragraph (3A) of Regulation 8.

Regulation 9 except paragraph (1) thereof.

Regulations 16A, 18A, 18B, 18D, 19A, 19B, 19C, 23E, 24, 25, 25A, 26, 27.

Paragraph (2) of Regulation 35.

Regulations 36, 37, 38A, 39.

Paragraph (2) and sub-paragraphs (b) and (c) of paragraph (4) of Regulation 39B.

Regulations 39BA, 39C, 39E, 40B.

Para 1B of Regulation 44B.

Regulations 45C, 56AA, 79B, 80, 84AA, 86.

Paragraphs (5), (6), (7) and (7A) of Regulation 88A.

Regulations 88B, 93AA, 93B, 94A and 94B.

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 SECOND SCHEDULE

*Derivative acts not continued in force after the 24th August, 1945, in relation to the Bailiwick of Guernsey (excluding the Island of Alderney).*

Order No. 1 dated 10th day of May, 1945, designating the Chief Civil Affairs Officer for the time

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being in the Channel Islands as a Competent Military Authority in relation to those Regulations of the Defence (Channel Islands) Regulations, 1944, which are enumerated in the Schedule to that Order (but without prejudice to the continuance in operation, subject to the provisions contained in the Fourth Schedule to this Regulation, of all derivative acts done by the Competent Military Authority by virtue of such designation before the coming into operation of this Regulation).

Paragraph 5 of the Wireless Telegraphy (Channel Islands) Order dated 14th May, 1945.

### THIRD SCHEDULE

#### *Modifications of the Defence Regulations.*

References in any Defence Regulation to the Island of Jersey, to the States of Jersey, to any Law or Règlement in force in Jersey, to the Royal Court of Jersey, and to any Official or States Department of the Island of Jersey, shall be omitted.

Where, in any Defence Regulation as varied by virtue of this Defence Regulation, the Royal Court is empowered to do any act or thing by order, that Defence Regulation shall be construed as empowering the Royal Court to do that act or thing by Ordinance.

Where, in any Defence Regulation (save as regards Regulations 88, 88c, 88d and 94), the expression "Competent Military Authority" appears, there shall be substituted therefor the expression "Competent Authority" and the meanings of the latter expression, in relation to the Regulations enumerated in the first column of the following Table, shall be those assigned to that expression in the second column of that Table —

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| Column 1   | Column 2  |
|--|---|
| Regulations 7, 14, 14A .....   | a Secretary of State or the Admiralty or the Lieutenant Governor. |
| Regulations 2BA, 9, 10, 11, 12, 13, 13A, 16, 17, 18, 18c, 19, 20A, 47A, 50, 51, 52, 53, 54, 79, 80A, 84, 85, 504 ..... | the Lieutenant Governor.  |
| Regulation 5 .....   | the Admiralty or the Lieutenant Governor.                         |
| Regulations 8, 60CC .....  | the Postmaster General.   |
| Regulations 33A, 34, 35, 55 (except paragraph 1c), 66c, 74, 76, 77, 551 .....  | the Royal Court.  |
| Paragraph (1c) of Regulation 55 .....  | a Law Officer of the Crown in the Island of Guernsey.             |
| Regulation 58A .....   | the Bailiff.  |
| Regulations 43, 43A, 44, 44A, 44B, 44c, 45 .....   | the Admiralty.  |
| Regulation 45A .....   | the Board of Trade.   |

and the expression "Competent Authority" in relation to any Defence Regulation (except as regards paragraph (1c) of Regulation 55), shall, besides the official or officials, body or bodies, specified in Column 2 of the Table contained in this Schedule as the Competent Authority in relation to that Defence Regulation, include such other person or persons as any of such official or officials, body or bodies may designate as a Competent Authority (and, subject to the provisions of the Second Schedule hereto, shall also include such person or persons designated as a Competent Military Authority under the Defence Regulations in force before the 25th day of

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August, 1945, and whose designation as such was still operative immediately before the 25th day of August, 1945) in relation to that Defence Regulation with or without limitation of the powers of such designated persons or person as prescribed in any such designation.

Where, in any Defence Regulation, the expression "the Channel Islands" or "any of the Channel Islands" or "the Channel Islands or any of them" appears, then, except as regards sub-paragraph (b) of paragraph (2) of Regulation 54, for those expressions the expression "the Bailiwick of Guernsey excluding the Island of Alderney" shall be substituted.

The expression "Lieutenant Governor" shall, in the absence from duty or from the Island of Guernsey of the Lieutenant Governor, mean the Deputy Lieutenant Governor.

The expression "Bailiff" shall include any person for the time being lawfully acting in the place of the Bailiff.

The expression "officer of Customs and Excise" shall mean a revenue officer of the States of Guernsey.

In paragraph (3) of Regulation seventeen, for the words "a power at war with His Majesty," there shall be substituted the word "Japan."

In Regulation 33A, for the words "the Emergency Powers (Channel Islands) Order in Council, 1944," there shall be substituted the words "the Emergency Powers (Defence) Act, 1939."

For the figure "4" at the commencement of the Regulation immediately following Regulation 33A, there shall be substituted the figures "34."

In paragraph (4) of Regulation 47A, the words "and any superintendent within the meaning of the Merchant Shipping Act, 1894," shall be omitted and in sub-paragraph (b) of paragraph 7 of that Regulation the words "the Defence (General) Regulations, 1939, of the United Kingdom" shall be substituted for the words "these Regulations."

In Regulation 88 the words “ as the Competent Military Authority by order ” shall be omitted. 1945

In Regulation 88c, the words “ and any person authorised by the Competent Military Authority to act under this Regulation ” shall be omitted.

In Regulation 88d, the words “ the Competent Military Authority ” shall be omitted.

In paragraph (9) of Regulation 94, the words “ the Competent Military Authority ” shall be omitted.

In Regulation 100 —

The definitions of “ agricultural land,” “ allotment,” “ fish ” and “ printing press ” shall be omitted.

The references to Alderney shall be omitted.

The definition of “ Competent Military Authority ” shall be omitted.

For the definition of “ these Regulations,” there shall be substituted the following definition:—

“ these Regulations ” means any and every Defence Regulation made at any time under the title “ Defence Regulations (Guernsey), 1945,” and includes any and every Defence Regulation made under the provisions of the Emergency Powers (Channel Islands) Order in Council, 1944, and continuing to have effect on and after the 25th day of August, 1945, and any and every order, direction, authority, permit, licence, instruction or other instrument in writing for the time being in force and issued (whether before or after the 25th day of August, 1945) pursuant to any such Defence Regulation.’

At the end of paragraph (7), the full-stop shall be omitted and there shall be added the words “ or the Emergency Powers (Guernsey) Order in Council, 1945.”

For Regulation 105, there shall be substituted the following Regulation:—

“ 105. These Regulations may be cited as The Defence Regulations (Guernsey), 1945.”

Where, in any Defence Regulation, a variation effected therein by virtue of any provision of this

1945 Schedule requires any consequential grammatical modification of the language of that Defence Regulation, that Defence Regulation shall be construed as though the language thereof were modified accordingly.

#### FOURTH SCHEDULE

##### *Modifications of derivative acts.*

Where in the operative part of any derivative act the expression "the Channel Islands," "any of the Channel Islands," "any one of the Channel Islands," or "the Channel Islands, or any of them" appears, for such expression there shall be substituted the expression "the Islands (excluding Alderney) of the Bailiwick of Guernsey," "any of the Islands (excluding Alderney) of the Bailiwick of Guernsey," "any one of the Islands (excluding Alderney) of the Bailiwick of Guernsey" or "the Islands (excluding Alderney) of the Bailiwick of Guernsey or any of them" respectively and in any title to any such derivative act there shall be substituted for the expression "Channel Islands" the expression "Guernsey."

Where in any title to or operative part of any derivative act the expression "Bailiwick of Guernsey" appears, there shall be inserted immediately after that expression the words "excluding Alderney."

References to the Island of Jersey or to any place in that Island shall be omitted.

Where in the operative part of any derivative act the expression "Competent Military Authority" appears, for that expression the expression "Competent Authority" shall be substituted and the latter expression shall be construed in conformity with the provisions of the Third Schedule.

References to the Defence (Channel Islands) Regulations, 1944, shall be construed as references to the Defence Regulations (Guernsey), 1945.

References to any officer of Customs and Excise shall be construed as references to any revenue officer of the States of Guernsey. 1945

The reference to Fort Albert, Alderney, in Part I. of the Schedule to the Prisoners of War (Bailiwick of Guernsey) (No. 1) Order, 1945, shall, for the purposes of this Regulation, be omitted.

Where in any derivative act, a variation effected therein by virtue of any provision of this Schedule requires any consequential grammatical modification of the language of that derivative act, that Defence Regulation shall be construed as though the language thereof were modified accordingly.

*The 1st September, 1945, before Victor Gosselin Carey, Esquire, Bailiff, present, etc.:*

**Ordinance designating a Competent Authority for certain purposes in relation to regulation 551 of the Defence Regulations (Guernsey) 1945.**

THE ROYAL COURT in its capacity as Competent Authority in relation to Regulation 551 of the Defence Regulations (Guernsey), 1945, having heard the conclusions of His Majesty's Procureur,—

- (1) hereby designates the President for the time being of the States Finance Committee as a Competent Authority for the purposes of the Finance (Importation and Export of Currency, etc.) (Guernsey) (No. 2 Order), 1945, made under that Regulation; and
- (2) hereby directs that a copy of this Ordinance shall be transmitted to the Seneschal of the Island of Sark for registration on the Records of that Island.

1945

*The 8th day of September, 1945, before Victor Gosselin  
Carey, Esquire, Bailiff, present, etc.:*

**Defence Regulations (Guernsey), 1945.**

**The Defence Regulation (Appointment of Directors,  
Elizabeth College) Ordinance, 1945.**

The Royal Court, in exercise of its powers under the Emergency Powers (Guernsey) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, hereby orders that the following Defence Regulation shall have effect forthwith in the Island of Guernsey:—

Elizabeth  
College  
Statutes

Notwithstanding the provisions of the Statutes for the Government of Elizabeth College, Guernsey, ratified and confirmed by Order in Council registered on the Records of this Island on the 11th day of January, 1853—

Statute 11

(1) The Lieutenant-Governor, in making any appointment to the Board of Directors of Elizabeth College for the purpose of filling any vacancy now existing on that Board, may, if he thinks fit, make the same for a lesser period than that specified in Statute 11 of those Statutes, and such appointment shall have effect accordingly.

Statutes  
12 and 13

(2) The States—

(a) in making any such appointment for the purpose aforesaid may, if they think fit, make the same for a lesser period than that specified in Statute 12 of those Statutes, may make more than one such appointment in the calendar year 1945 and may make any such appointment without regard to the provisions of Statute 13 of those Statutes as regards temporary disqualification for re-appointment as a Director; and

The States  
may prolong  
the period  
of office

(b) may, if they think fit, notwithstanding the provisions of Statutes 12 and 13 of those Statutes, prolong the period of office expiring not later than the sixth day of January, 1947, of any member of that Board of Directors in

office on the date of this Regulation for a period not exceeding five years from the date of expiry of the period of office of that member;

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and any such appointment and any such prolongation of a period of office shall have effect accordingly.

*Le 13 octobre 1945, par devant Victor Gosselin Carey, écuyer, Baillif; présents: etc.*

**The Control of the Building and Allied Trades and of Building Materials Ordinance, 1945.**

THE ROYAL COURT, in exercise of the powers vested in it under the Defence Regulations (Guernsey), 1945, as a Competent Authority in relation to Regulation 55 of those Regulations, having heard the conclusions of His Majesty's Procureur, has ordered and hereby orders as follows:—

1.—In this Ordinance —

Definitions

“the Authority” means the States Housing Authority;

“scheduled business” means any business specified in the First Schedule to this Ordinance;

*Registration and Licensing of Scheduled Businesses.*

2.—It shall be the duty of every person who at the date of this Ordinance is carrying on a scheduled business in the Island of Guernsey or who at any time thereafter commences to carry on a scheduled business in that Island, to furnish to the Authority within the fifteen days next following the date of this Ordinance or the date on which the scheduled business is first carried on, as the case may be, a return in the form prescribed in the Second Schedule to this Ordinance correctly setting forth the particulars concerning the scheduled business in accordance with the requirements contained in that form.

Particulars concerning Scheduled Businesses

1945

Issue of  
Licences

3.—Upon the Authority being satisfied as to the correctness of the particulars furnished to the Authority as aforesaid, the Authority shall enter such particulars in a register to be kept by the Authority and shall issue, without fee, to the person or persons carrying on the scheduled business concerned a licence in the form prescribed in the Third Schedule to this Ordinance authorising such person or persons to carry on the scheduled business.

Conditions  
may be  
attached  
to a licence

4.—The Authority may attach to a licence issued under the provisions of this Ordinance, whether at the time of issue or subsequently, and whether by incorporating the same in the licence or by notice addressed to the licensee or published in “La Gazette Officielle” on any weekday, any such specified conditions as the Authority may from time to time deem proper for the effectual carrying out of the provisions of this Ordinance.

Revocation  
or suspension  
of licences

5.—The Authority may at any time revoke or suspend the operation of any licence issued under the provisions of this Ordinance in the event of—

- (a) The conviction of any holder of a licence of a contravention of any of the provisions of this Ordinance; or
- (b) any condition attaching to the licence not being complied with; or
- (c) the licensee proving to be incompetent or untrustworthy; or
- (d) the licensee being guilty of professional misconduct in accordance with the general acceptance of the meaning of that expression in the trade in relation to which the scheduled business is carried on;

and, upon the revocation or suspension of any such licence, that licence shall, on the expiration of the ten days next following the date on which the licensee is notified thereof, cease permanently or temporarily to be

valid, as the case may be, unless the licensee shall by then have instituted an appeal from such revocation or suspension, in which event the licence shall continue to be valid pending the decision in such appeal. Upon a licence ceasing permanently or temporarily to be valid by reason of revocation or suspension, the licensee shall return the licence to the Authority for cancellation or temporary retention, as the case may require.

1945

6.—In the event of the transfer of a scheduled business in connection with which a licence under this Ordinance is held or in the event of the death of the holder of such a licence, the transferee or other person succeeding to the business of such holder shall be entitled, upon making application to the Authority for a licence and pending the issue thereof to carry on the scheduled business in accordance with the conditions of the first mentioned licence.

Transfer of  
a Scheduled  
Business

7.—(i) Any person whose licence under this Ordinance has been revoked or suspended by the Authority may appeal from the decision of the Authority in respect of such revocation or suspension to the Royal Court sitting as an Ordinary Court whose decision in the matter shall be final.

Appeals

(ii) Such appeal shall be instituted by summons served on the President or Acting President of the Authority within the ten days next following the date on which the appellant was notified of the revocation or suspension of the licence and shall set forth the grounds of the appeal.

(iii) Upon the determination of the appeal, the Royal Court, unless it upholds the decision of the Authority, shall issue such direction to the Authority as is appropriate and the Authority shall implement such direction.

8.—A person now carrying on a scheduled business in this Island or hereafter commencing to carry on a scheduled business therein shall not continue to carry on that scheduled business after the expiration of the

No  
Scheduled  
Business to  
be carried  
on without  
a licence

1945

thirty days next following the date of this Ordinance or the date on which the scheduled business is first carried on, as the case may be, without being in possession of a valid licence issued by the Authority as respects such scheduled business.

Corrections  
in  
particulars

9.—It shall be the duty of every person to whom a licence is issued under this Ordinance to furnish to the Authority forthwith such corrections in the particulars previously furnished to the Authority as regards the scheduled business concerned as will enable the Authority at all times to keep an accurate record in the register kept by the Authority concerning that scheduled business and to amend accordingly the licence issued in respect thereof, and such person shall forward to the Authority upon request such licence for amendment under this Section.

*Limitation of Unlicensed Work.*

No work  
exceeding  
£10 in cost  
to be  
carried out  
without  
a licence

10.—A person, whether that person is or is not carrying on a scheduled business, shall not, in any period of twelve consecutive calendar months, carry out work, of which the cost, whether in labour or material, or both, exceeds the sum of Ten Pounds, in relation to the construction, reconstruction, alteration, demolition, repair (including work done as a temporary measure), or decoration of any structure, unless application to carry out that work has been made to, and a licence to carry out the same has been issued by, the Authority and the work is carried out in accordance with the conditions (if any) set out in the licence.

*Powers of Housing Authority in relation to this Ordinance*

To operate  
a scheme of  
control of  
materials

11.—The Authority is hereby authorised and empowered:—

- (i) to institute and operate a scheme of control of the distribution and use in the Island of Guernsey of all materials used in the conduct of a scheduled

- business as, in the opinion of the Authority, is necessary or expedient, with power from time to time to raise and thereafter to reimpose control as regards any of such materials; 1945
- (ii) to issue directions to any person carrying on a scheduled business to execute in accordance with such directions any work specified therein which is certified by the Authority to be essential work of rehabilitation; To issue directions
- (iii) to decide and issue directions to any person as regards the priority sequence in which any work of rehabilitation shall be carried out; To decide priority sequence
- (iv) to require, for the period specified by the Authority, that work in relation to any structure (including work in connection with the rehabilitation of that structure) shall not be carried out; To require that work shall not be carried out
- (v) to require that all work, whether carried out under a licence issued by the Authority or not requiring a licence under this Ordinance, in relation to the construction, reconstruction, alteration, demolition, repair or decoration of any structure shall be executed as economically as possible, regard being had to the nature and situation of the premises, the current prices of materials and labour and to all other relevant circumstances; To require that work shall be executed as economically as possible
- (vi) to require the production of time sheets, invoices and other vouchers necessary for the purpose of apportioning the cost of work in relation to any structure under the following heads: To require production of time-sheets, etc.
- (a) Replacements or repairs necessitated by War Damage;
- (b) Replacements or repairs not necessitated by War Damage;
- (c) Alterations and Improvements.

1945  
To enter premises where work is being carried out

(vii) to enter, and to authorise the entry of any representative of the Authority, upon any premises on or in which such work as is referred to in paragraph (v) of this Section is being carried out for the purpose of inspecting the same.

Contraventions of this Ordinance

12.— Contraventions of this Ordinance are offences against the Defence Regulations (Guernsey), 1945.

FIRST SCHEDULE

- Builder.
- Carpenter and Joiner.
- Electrician.
- Gas Fitter.
- Heating Engineer.
- Mason.
- Painter.
- Plasterer.
- Plumber and Sanitary Engineer.
- Slater and Tiler.

SECOND SCHEDULE

To

The States Housing Authority,  
Hadsley House,  
Lefebvre Street, Guernsey.

(a) State the type of business carried on  
(b) State the trade name under which the business is carried on

I hereby declare that the following particulars concerning the business of.....(a)  
carried on by..... (b) are true and correct in all particulars: —

1. If the business is carried on by a Limited Liability Company, state the address of the Registered Office: .....
2. If carried on by one person only, state his full name and private postal address:  
.....

3. If carried on by a partnership, state the full name and private postal address of each of the partners:— 1945  
 .....

4. Give the postal address of the place (or principal place) at which the business is carried on:—

5. State the number of men employed:—

|                              | Tradesmen | Apprentices | Labourers |
|------------------------------|-----------|-------------|-----------|
| Bricklayers and Masons ..... |           |             |           |
| Carpenters .....             |           |             |           |
| Joiners .....                |           |             |           |
| Plasterers .....             |           |             |           |
| Plumbers .....               |           |             |           |
| Painters .....               |           |             |           |
| General Labourers .....      |           |             |           |

6. State briefly the plant at your disposal, including concrete mixers, mortar mills:—

7. What workshops have you, and have you any power plant? If so, what? .....  
 .....  
 .....

8. Have you any transport? If so, what? .....  
 .....

Signature .....(c) (c) If a Com-

Date: .....19.....

pany or a partner-  
 ship to be  
 signed by  
 a Director  
 or partner

1945

## THIRD SCHEDULE

*Licence.*

..... of .....

..... is (are) hereby authorised to carry on the business of .....

in the Island of Guernsey subject to the conditions (if any) specified at the foot of this Licence.

.....

President (or Acting President)  
States Housing Authority.

Date: .....194...

*Conditions attaching to the grant of this Licence.*

*Le 20 octobre 1945, par devant Victor Gosselin Carey, écuyer, Baillif, présents, etc.:*

**Ordonnance\* provisoire prescrivant les Règles et des  
Formes de Procédure pour les Causes  
et Cas Matrimoniaux**

LA COUR, en vertu des dispositions de l'Article 6 de la Loi dite "The Matrimonial Causes Law (Guernsey), 1939," et ouïes les conclusions du Procureur du Roi, a approuvé—

- (1) les Règles, rédigées en anglais, qui se trouvent dans la Cédule annexée à cette présente Ordonnance, et
- (2) les Formes, aussi rédigées en anglais, qui sont comprises dans l'Appendice se rattachant aux dites Règles, eu égard pourtant aux dispositions

\* This Ordinance was made permanent by the Matrimonial Causes Law (Guernsey), 1939, Amendment Law, 1946.

de la Règle No. 70 (intitulée “ General Provision regarding Forms ”) des dites Règles. 1945

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ET a de plus ordonné qu'un exemplaire de cette présente Ordonnance sera transmis par le Greffier du Roi à M. le Juge d'Auregny et à M. le Sénéchal de Serk pour être enregistré sur les Records des dites Iles respectivement.

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### CÉDULE

#### THE MATRIMONIAL CAUSES LAW (GUERNSEY), 1939

##### THE MATRIMONIAL CAUSES RULES, 1945

**Rules of Court made by the Royal Court under the Matrimonial Causes Law (Guernsey), 1939, regulating the Practice and Procedure in Matrimonial Causes and Matters**

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#### APPENDIX OF FORMS

**THE MATRIMONIAL CAUSES LAW (GUERNSEY), 1939**

1945

**THE MATRIMONIAL CAUSES RULES, 1945**

**Rules of Court made by the Royal Court under the Matrimonial Causes Law (Guernsey), 1939, regulating the Practice and Procedure in Matrimonial Causes and Matters.**

**PART I.—GENERAL PROVISIONS REGARDING  
COMMENCEMENT OF PROCEEDINGS  
AND FAILURE TO PROCEED.**

**Rule 1.—Commencement of Proceedings by Petition**

- (1) Every suit for a decree for
  - (a) Divorce,
  - (b) Judicial Separation,
  - (c) Restitution of Conjugal Rights,
  - (d) Nullity of Marriage, or
  - (e) Presumption of Death and Dissolution of Marriage thereon,

in the Matrimonial Causes Division of the Royal Court of Guernsey (hereinafter referred to as “the Court for Matrimonial Causes” or “the Court”) shall be commenced by filing with His Majesty’s Greffier a petition addressed to the Court for Matrimonial Causes.

(2) An examined copy of the petition, as filed under this Rule, shall be endorsed with a notice to enter appearance, in accordance with Form II. in the Appendix to these Rules and served as required by these Rules.

(3) After service has been effected, as required by these Rules, a copy of the notice mentioned in the last foregoing paragraph, together with either a certificate of service or a copy of the advertisement, when service by means of advertisement has been ordered, shall be filed with His Majesty’s Greffier.

**Rule 2.—Commencement of Proceedings otherwise than  
by Petition**

Except where—

- (a) the provisions of Rule 1 require proceedings to be commenced by petition, or

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(b) proceedings may lawfully be taken *ex parte*, every proceeding under these Rules shall be commenced by the issue by the party taking such proceedings or by his advocate of a notice which shall, subject to the requirements of Rule 70 (entitled "General Provision regarding Forms"), be in accordance with Form 22 in the Appendix to these Rules.

**Rule 3.—Dismissal of Petition for Failure to Pursue**

Where a petitioner fails, within the time specified in these Rules or allowed by the Court, to proceed with the suit, the respondent or any other party who has filed an answer may make an application to the Court to have the petition dismissed.

**Rule 4.—Peremption d'Instance (Lapse of Suit)**

Except by leave of the Court, every matrimonial suit shall be brought to trial within a year and a day after the filing of the petition, and, unless the Court otherwise orders, His Majesty's Greffier shall, on the expiration of that period, remove from the Register containing the Roll of Matrimonial Causes any cause therein which has not been brought to trial accordingly.

**PART II.—PETITION AND PROCEEDINGS IN CONNECTION THEREWITH.**

**Rule 5.—Form of Petition**

(1) The petition in a matrimonial suit shall, so far as the case requires, and the information of the petitioner admits, be in the form, appropriate to the suit in which it is presented, as set out in Forms 1 to 8 in the Appendix to these Rules and shall state—

- (a) The full names of the petitioner and respondent (hereinafter in general referred to as "the parties");
- (b) The occupation or status of each of the parties at the date of the institution of the proceedings:

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- (c) The place and date of the marriage and the full name and the status of the wife before the marriage;
- (d) The last principal permanent addresses within the jurisdiction at which the parties have cohabited, or, if it be the case, that there has been no place of cohabitation within the jurisdiction;
- (e) Whether there are living any children of the marriage and, if so, the names and dates of birth or ages of such children and, if it be the case, that the paternity of any and, if so, which, child of the wife is disputed;
- (f) (i) The residence and domicile of the parties to the marriage at the date of the institution of the proceedings;  
(ii) Where it is material under the provisions of Article 15 (entitled "Conditions of Exercise of Jurisdiction with regard to Divorce") of the Law, the total number of days for which the party whose presence within the Bailiwick is relied upon to give jurisdiction, was actually present within the Bailiwick during the period of three years immediately preceding the presentation of the petition;
- (g) If at the date of the institution of the proceedings by a wife her husband has deserted her or has been deported from the United Kingdom or from any of the Channel Islands, and there is reason to believe that he has changed his domicile since the desertion or deportation, the domicile of the husband immediately before the desertion or deportation and the date when and the circumstances in which the alleged desertion began or the date and place of the deportation order;

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- (h) Whether there have been in the Bailiwick or elsewhere any, and if so what, previous proceedings, with reference to the married relationship of the parties, by or on behalf of either of the parties, the date, effect and purport of any decree or order made in such proceedings, and whether there has been any resumption of cohabitation since the making thereof;
- (i) The matrimonial offences alleged or other grounds upon which relief is sought, set out specifically, in a separate paragraph for every such offence or ground;
- (j) Where it is material in the case of a petition for judicial separation or a petition for restitution of conjugal rights, the place in the Island of Guernsey at which the parties had their matrimonial home at the time when their cohabitation ceased, and when that cohabitation ceased;
- (k) In the case of a petition for restitution of conjugal rights, the date when and the circumstances in which the respondent refused or ceased to render conjugal rights to the petitioner, the desire of the petitioner for a restitution of conjugal rights and the petitioner's willingness to render such rights to the respondent;
- (l) In the case of a petition for the presumption of death and dissolution of the marriage, the last place of cohabitation of the parties, the circumstances in which the petitioner and the other party ceased to cohabit, and the date when and the place where that other party was last seen or heard of; and
- (m) In the case of a petition for divorce or judicial separation, or an application to the Ordinary Court or the Court for Matrimonial Causes for the granting of a judicial separation by consent—

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- (i) whether any, and if so, what attempt has been made to reconcile the parties;
- (ii) whether the petitioner is willing that a member of the Panel of Mediators shall, at the request of the Court, endeavour to reconcile the petitioner and respondent, and, if the petitioner is not so willing, the reasons for refusing such mediation.

(2) In a petition for divorce, judicial separation, restitution of conjugal rights or nullity of marriage, a wife petitioner may in her petition ask for an interim order directing her husband to make payments for or towards her support, or with respect to the custody, maintenance or education of, or access to, the children of the marriage, and if she does so the petition shall contain a statement in general terms of her husband's income and property in so far as they are within her knowledge or belief, and also of her own income and property.

(3) The petition shall conclude with a prayer setting out particulars of the relief claimed, including:—

- (a) The amount of any claim for damages and the name of the person from whom they are claimed;
- (b) Any claim for custody of the children of the marriage;
- (c) Any claim for an award of payments to be made, pending suit, by the husband for or towards the support of his wife, or the maintenance or education of the children of the marriage;
- (d) Any claim for an order of the Court under Part VIII. (entitled "Property and Contributions for Support") of the Law;
- (e) Any claim for costs; and
- (f) In appropriate cases a prayer that the Court will exercise its discretion to grant a decree

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notwithstanding that the petitioner has committed adultery during the marriage which is the subject of the proceedings.

(4) Subject to the provisions of the next ensuing paragraph, every petition shall be signed—

- (a) by the petitioner; or
- (b) where the petitioner is an infant, by the petitioner and his guardian *ad litem*; or
- (c) where the petitioner is a person of unsound mind, by his guardian *ad litem*.

(5) If, when the petition is ready for signature, and it is desired to file the petition, it is impossible, for a reason other than the petitioner's unsoundness of mind, to obtain his signature thereto, his advocate may, with the permission of the Court, sign the petition on his behalf: provided that, before the trial of the suit, an identical petition signed by the petitioner, and accompanied by his sworn declaration of facts in support thereof, shall be filed.

(6) Except by leave of the Court, every petition, when filed, shall have annexed thereto a certified copy of the marriage certificate of the parties.

#### **Rule 6.—Excusal of Joinder of Co-Respondent**

If a petitioner or respondent desires to be excused, in virtue of the provisions of Article 10 (entitled "Joinder of Co-respondent, etc.") of the Law, from citing any person with whom such petitioner or respondent alleges in his or her petition or cross-petition that the other spouse has committed adultery, application for such excusal shall be made to the Court in accordance with Form 10 in the Appendix to these Rules.

#### **Rule 7.—Sworn Declaration in Support of Petition**

(1) With every petition in a matrimonial suit shall be filed a sworn declaration by the petitioner verifying the facts of which the deponent has personal cognizance

and deposing as to belief in the truth of the other facts alleged in the petition, and, except in the case of a petition for the restitution of conjugal rights or a petition for presumption of death and dissolution of marriage thereon, stating whether the petition is presented or prosecuted in collusion with the respondent or any co-respondent.

(2) The sworn declaration shall also state—

(a) In the case of every petition for divorce or judicial separation where the ground of the petition is adultery, whether the petitioner has in any manner been accessory to or connived at or condoned the adultery, and, where the ground of the petition is cruelty, whether the petitioner has in any manner condoned the cruelty; and

(b) In the case of a petition for nullity on any of the grounds mentioned in paragraphs (4), (5), (6) and (7) of Article 34 (entitled “Grounds for Decree of Nullity”) of the Law, whether the petitioner was at the time of the marriage ignorant of the facts alleged and whether marital intercourse with the consent of the petitioner has taken place since the discovery by the petitioner of the existence of the grounds for a decree; and

(c) In the case of a petition for presumption of death and dissolution of marriage thereon, the steps which have been taken to trace the respondent.

(3) Where a petition alleges adultery against a person who has died before the petition is filed, the sworn declaration shall prove the death of such person by reference to a death certificate exhibited thereto or by reference to such other evidence as is available.

(4) Where the ground of a petition for nullity is that the marriage in respect of which the petition is presented was bigamous on the part of the respondent, the sworn declaration shall tender proof of the prior marriage of

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the respondent by reference to a marriage certificate exhibited thereto or other the best evidence available in the matter. The acceptance by the Court of such certificate or evidence shall be without prejudice to any requirement by the Court of good and sufficient evidence of the identity of the respondent as a party to the alleged prior marriage of the respondent and of the subsistence of that marriage at the time when the respondent intermarried with the petitioner.

(5) Where the ground of a petition for nullity is that the marriage has been annulled in an extraneous jurisdiction, the sworn declaration shall state—

- (a) by what Court such annulment was made;
- (b) the place in which the party who is the respondent in the proceedings in the Bailiwick was domiciled when the suit for such annulment was instituted in the extraneous jurisdiction;
- (c) the ground on which the said annulment was made; and
- (d) whether or not by reason of such ground of annulment the marriage was, in the extraneous jurisdiction, voidable, or void *ab initio*.

(6) In the case of every petition for divorce where the petitioner, or, if the petitioner is the wife, the husband of the petitioner, though domiciled in the Bailiwick when the suit is instituted, has not been domiciled therein during the whole of the three years immediately preceding the presentation of the petition, the sworn declaration shall give the dates of the days on which, within the said period of three years, the petitioner or respondent was actually present within the Bailiwick and the addresses at which such petitioner or respondent was present at such time.

#### **Rule 8.—Notice to Enter an Appearance**

(1) A petition and every copy thereof for service upon a respondent or co-respondent shall be clearly endorsed with a notice to enter an appearance in accordance with Form II. in the Appendix to these Rules and.

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if the petition includes a prayer for interim contributions for support pending suit, the petition and the copy to be served on the respondent husband shall also be endorsed with a notice to enter an appearance and file evidence in accordance with Form 12 in the Appendix.

(2) A notice of an application for any ancillary relief and any copy thereof for service shall, if the respondent to the application has not already entered an appearance to the petition in the matrimonial suit in which the application is made, contain the notice to enter an appearance set out in Form 13 in the Appendix.

(3) A notice of an application for orders for contributions for support, periodic payments, maintenance or education of children, or the giving of security for any of these purposes, and every copy of such notice for service, shall contain a notice to file evidence in accordance with Form 14 in the Appendix.

(4) Unless the Court otherwise directs, and subject to the provisions of—

(a) section (1) of Rule 42 relating to the time allowable for the taking of procedural steps in the case of minors and persons of unsound mind, and

(b) Rule 67 (entitled “Time Allowance in Process, for Absentees”),

appearance shall be entered within fourteen days after service of the process to which appearance is required.

#### **Rule 9.—Service of Process**

(1) In every matrimonial suit or matter, unless the Court otherwise directs:

(a) an examined copy of the petition, endorsed with a notice to enter an appearance, shall be personally served upon the respondent and every co-respondent named therein;

(b) notice of any application or other process shall be personally served upon the respondent thereto.

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(2) Personal service shall in no case be effected by the petitioner or intended petitioner.

(3) Where it is desired to effect service by substituted service, application *ex parte* shall be made to the Court for leave to do so and specifying (a) the kind of substituted service desired and (b) the reasons for which the application is made.

(4) Where it is desired to effect substituted service by means of advertisement, there shall be submitted to the Court, at the time of the application, a draft of the advertisement which it is proposed to issue and a list of the newspapers in which it is proposed to insert the advertisement. The advertisement shall be issued in the form, and in the newspapers, approved by the Court.

#### **Rule 10.—Addresses for Service**

(1) Every party to a matrimonial suit, and every person seeking to become a party to any such suit, shall furnish to His Majesty's Greffier and to every opposite party an address within the Bailiwick which he elects as his address for the service by or on behalf of any opposite party of process relating to the suit or arising thereout. The address so furnished shall be the address for service of the party furnishing it until the expiration of the twelve calendar months next following—

(a) in the case of a decree of divorce or a decree of nullity of marriage, the making of a Final Order, or, as the case may be, the issue of an Order of His Majesty in Council such as is referred to in sub-paragraph (b) of paragraph (1) of Article 12 (entitled "Decrees and Final Orders") of the Law; and

(b) in the case of any other decree, the making of the decree;

unless, during such period, that party furnishes some other address within the Bailiwick, and if he does so, the address for service thus last furnished shall be the address for service during the remainder of the period appropriate

to the case under this Rule or such other period as the Court allows.

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(2) Unless and until a party who has initiated process under these Rules, or who is proved to have been served with such process, furnishes an address for service conformably to the provisions of section (1) of this Rule, his address for subsequent service shall be the office of His Majesty's Sergeant in Guernsey.

#### **Rule 11.—Service out of the Jurisdiction**

(1) A petition, notice, or other document appertaining to the process of the Court, may be personally served out of the Bailiwick without leave of the Court by any person, subject to the provisions of the ensuing paragraphs of this Rule.

(2) Subject to the provisions of any relevant Convention between His Majesty and the Government of a Foreign Country, the undermentioned procedure shall apply to service where the person to be served is not a British subject and is not within British Dominions:

- (a) Request for service abroad shall be made to the Court, in accordance with Form 15 in the Appendix to these Rules.
- (b) On the granting of the request, the document to be served shall be sealed with the seal of the Royal Court and transmitted by the Bailiff to His Excellency the Lieutenant-Governor, together with a copy thereof translated into an official language of the country in which service is to be effected, if such language is not the language in which the document is expressed, and with a request, in accordance with Form 16 in the Appendix, for the further transmission of the same, through His Majesty's Principal Secretary of State for Foreign Affairs, to the Government of the foreign country in which it is proposed to serve the document. The said

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request shall be in accordance with Form 16 in the Appendix to these Rules.

- (c) An official certificate, or declaration on oath or otherwise, transmitted through the diplomatic channel and the Lieutenant-Governor by the Government of the foreign country to the Bailiff, if it certifies or declares the document to have been personally served, or to have been duly served in accordance with the law of the foreign country, or words to that effect, shall be deemed sufficient proof of such service.
- (d) Where an official certificate or declaration, transmitted to the Bailiff in the aforesaid manner, certifies or declares that endeavours to serve a document have been unsuccessful, or where it otherwise appears that personal service probably cannot be effected, the Court may, upon the ex-parte application of the petitioner, order that the petitioner may, through the Bailiff, in the aforesaid manner, bespeak a request for substituted service of such document. The said order and request shall be respectively in accordance with Forms 17 and 18 in the Appendix to these Rules.

#### **Rule 12.—Proof of Service**

(1) A petition shall not be listed for trial unless the respondent and every co-respondent thereto has entered an appearance, or unless, in the absence of appearance by any such person, the appropriate proof of service under this rule that such person has been duly served with the petition has been filed.

(2) An application, other than an ex-parte application, shall not proceed to hearing unless it has been shewn by the appropriate proof of service under this Rule that every respondent thereto has been duly served with notice of the application.

(3) The appropriate proof of service within the meaning of this Rule shall be, as the case requires—

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- (a) (i) of service in the Island of Guernsey, a certificate of service by His Majesty's Sergeant of that Island, which certificate shall (subject, however, to the provisions of Rule 70), be in accordance with Form 19 in the Appendix;
- (ii) of service in the Island of Alderney, a certificate of service by His Majesty's Sergeant of that Island;
- (iii) of service in the Island of Sark, a certificate of service by the Prévôt of that Island;
- (b) of service elsewhere, a sworn declaration of service by the person effecting the same;
- (c) of substituted service by advertisement in a newspaper, a copy of the issue of such newspaper containing the said advertisement.

#### **Rule 13.—Entry of Appearance**

(1) Appearance shall be entered by delivering at the Greffe, either by hand or by prepaid post, a memorandum in writing in accordance with Form 20 in the Appendix to these Rules, and containing the name of the advocate of the person entering an appearance, or stating that that person appears in person, and in either case containing an address for service within the Bailiwick. The person entering the appearance shall at the same time deliver at the Greffe a duplicate of the memorandum, and His Majesty's Greffier shall date such duplicate with the date of appearance and shall issue such duplicate as an examined copy of the memorandum and return it to the person entering the appearance. The duplicate memorandum so issued shall be a certificate that the appearance was entered as stated therein.

(2) Upon receipt of the memorandum of appearance, His Majesty's Greffier shall forthwith record the appearance under the date on which the same was entered

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in a Register of Appearances in Matrimonial Causes provided for the purpose.

(3) Notice of such appearance, in accordance with Form 21 in the Appendix, shall be given to every opposite party.

**Rule 14.—Application for Appointment of Mediators**

(1) Where any person has presented a petition to the Court for Matrimonial Causes for a decree of Divorce or judicial separation such person or the respondent to the petition may at any time before the suit is listed for trial, make application to the Court for the appointment of one or more mediators to act between the parties.

(2) The Court on making such appointment may give such directions as to the listing of the suit for trial as it sees fit.

**Rule 15.—Proceedings Preparatory to Hearing of Application**

(1) Before any application in virtue of the Law or of these Rules is made to the Court the person intending to make the application, or his advocate—

- (a) shall file with His Majesty's Greffier a detailed statement, in writing, of the nature of the application;
- (b) shall thereupon, or in due course, ascertain from His Majesty's Greffier the date which is assigned for the hearing of the application; and
- (c) upon ascertaining such date, shall cause to be served upon every opposite party concerned not less than fourteen days' notice of the hearing in accordance with Form 22 in the Appendix to these Rules.

(2) The provisions of sub-section (c) of section (1) of this Rule shall not apply to applications which may be made ex parte.

**Rule 16.—Form of Appearance**1915

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(1) Appearance may be entered under protest, and may be either general or limited to any claim made in the petition for an interim order for contributions for or towards the support of the petitioner, or for other ancillary relief.

(2) Notwithstanding that the respondent has not entered an appearance within the time limited for so doing, he may thereafter, by leave of the Court, but not otherwise, do so; and, in the case of an application for ancillary relief, the fact that the respondent thereto has not entered an appearance to the petition following upon which the application arises shall not disentitle him from contesting the application.

(3) Any appearance under protest shall state concisely the grounds of protest, and the party thus protesting shall, before the expiration of the time allowed for filing an answer to the petition, make application to the Court for directions as to the determination of any question arising by reason of such appearance under protest, and, in default of making such application, shall be deemed to have entered an unconditional appearance. Any such directions may provide for the trial of a preliminary issue with or without a stay of proceedings, or for determination of the matters in question at the hearing of the suit, and for any interlocutory matters incidental thereto; and if such protest as aforesaid is in terms, or is held by the Court to be, a plea to the jurisdiction, or if it is a plea of *litispendance*, such directions shall provide for the hearing and determination of the issue raised thereby before the hearing of the suit on the merits or dealing with any other issue therein.

The provisions of Rule 15 shall apply in the case of an application under this section, except that the person entering an appearance under protest, in accordance with the provisions of this section, shall be deemed thereby to have filed the detailed statement required under section (1) of that Rule.

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**Rule 17.—Supplemental and Amended Petitions**

(1) No supplemental petition shall be filed and no petition shall be amended without the leave of the Court.

(2) Notice of an application for such leave shall, unless the Court otherwise directs, be served on every opposite party who has entered an appearance, and the application shall be supported by a sworn declaration verifying the new facts alleged, on which the application is founded, and deposing, in so far as those new facts are concerned, to the existence or otherwise of collusion, connivance and condonation, in the manner required by Rule 7 for the original petition. Where no appearance has been entered, the application may be made *ex-parte* upon proof that appearance has not been entered by the party in question, and upon production of the said sworn declaration.

(3) An order made under this Rule shall—

- (a) in cases where appearance has been entered in the original proceedings, fix the time within which the answer must be filed or amended;
- (b) if made after the suit has been listed for hearing, provide for a stay of the hearing until the suit is again ready for trial in accordance with these Rules.

(4) Unless the Court otherwise directs, a copy of its order made under this Rule, together with an examined copy of the supplemental or amended petition, shall be served upon the respondent or co-respondent, together with a notice to enter appearance, in accordance with Form 11, or with a notice in accordance with Form 23, in the Appendix to these Rules, as the case may require; and the provisions of Rules 9 to 12 shall apply to supplemental and amended petitions as they apply to original petitions.

**Rule 18.—Pleadings**

(1) (a) Unless the Court otherwise directs, the pleadings in every proceeding which by these Rules begins with a petition shall be as follows—

- (i) The petition;
- (ii) Any answer to the petition, by any party adverse to the petitioner;
- (iii) Any reply by the petitioner to the answer;
- (iv) Corresponding pleadings arising out of any cross-petition.

(b) A respondent or other opposite party who has entered an appearance may, within fourteen days after the expiration of the time allowed for the entry of such appearance, file an answer to the petition.

(c) No reply shall be filed without leave of the Court, except where relief is claimed in the answer, in which case a reply may be filed within fourteen days from the delivery of the answer.

(d) Replications or other further pleadings for which leave is given by the Court under this Rule may be filed within such time as the Court allows.

(e) The Court, if satisfied that any further or other pleading by any party is necessary to ensure a fair trial, may, on the application of a party in the suit, allow other replications or pleadings, but no such replication or pleading shall be made except by leave of the Court.

(2) A party or his advocate who files any pleading subsequent to a petition shall, within twenty-four hours thereafter, deliver an examined copy thereof to every opposite party.

(3) The petition and every other pleading in a matrimonial suit shall be in writing and the text thereof shall, except in so far as it raises points of law, consist solely, as may be appropriate, of allegations of fact and of admissions or denials of such allegations by an opposite party; and shall not set out the evidence by which the facts alleged are to be proved. As far as possible, every pleading shall be divided into paragraphs, numbered consecutively.

For the purposes of this Rule, the term "writing" includes typewriting and printing.

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(4) Every allegation of fact in any pleading, if not denied specifically, or by necessary implication, or stated to be not admitted, in the pleading of the opposite party, shall be taken to be admitted, except as against an infant or a person of unsound mind.

(5) (a) Any party may by letter require any other party to furnish particulars of any allegation or other matter pleaded by that other party.

(b) If any party who has been requested to furnish particulars fails to furnish them, the Court may, on application by a party, or of its own motion, order them to be furnished.

(6) Delay by a party in delivering any pleading, document, particulars, or other material required to be produced may be taken into consideration by the Court in determining the amount and award of costs.

**Rule 19.—Evidence in Support of and Service of Answer**

(1) With every answer which contains matter other than a simple denial of the facts stated in the petition, there shall be filed a sworn declaration made by the person who files the answer, verifying such other matter so far as he has personal cognizance thereof and deposing to his belief in the truth of the rest of such other matter and, where that person is the husband or wife of the petitioner, deposing, in so far as such other matter is concerned, to the existence or otherwise of collusion, connivance, and condonation in the manner required by Rule 7 in the case of a petition.

(2) Where the answer of a spouse alleges adultery and prays by cross-petition for relief, the alleged third party adulterer shall be added to the title of the suit as "A.B. cited," and shall be served with an examined copy of the answer, together with a notice to enter an appearance, as if the answer were a petition.

(3) Where the answer of a spouse alleges adultery, but does not pray for relief, a notice, together with a copy of the answer, shall be served on the alleged third

party adulterer, and such notice shall be in accordance with Form 23 in the Appendix to these Rules, informing him that he is entitled to apply to the Court for leave to intervene in the suit.

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#### **Rule 20.—Discretion Statement**

(1) Every party to a matrimonial suit praying that the Court shall exercise its discretion to grant a decree notwithstanding that party's adultery, shall, when filing the petition, lodge with His Majesty's Greffier, for the information of the Court, a statement (in these Rules called a "discretion statement") signed by him or his advocate stating that the Court will be asked to exercise its discretion on his behalf, notwithstanding his adultery, and giving particulars of the acts of adultery committed and of the facts which it is material for the Court to know in deciding upon the exercise of its discretion.

(2) A discretion statement shall be open to the inspection of the Investigating Officer but, except by direction of the Court, shall not be open to inspection by any other person.

(3) Where a discretion statement contains an allegation of adultery or other matrimonial offence on the part of the other spouse which is not referable to any specific allegation in the pleadings, notice of such allegation contained in the discretion statement shall be given forthwith to the said spouse by the party making that statement:

Provided that if the Court, at the hearing, is satisfied that omission to give such notice is justified it may be dispensed with.

(4) Neither the fact that a discretion statement has been lodged, nor the fact that the said notice has been given, nor the contents of the discretion statement or notice, shall be given as evidence against the party lodging or giving the same in any matrimonial suit, except when that party has put in evidence in open Court the discretion statement or the said notice or the contents thereof.

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**Rule 21.—Keeping of Records and Listing of Causes**

(1) His Majesty's Greffier shall keep the Rolls of Matrimonial Causes and any other Records and books ordered or approved by the Court, and such Rolls, Records and Books shall deal exclusively with matrimonial causes and any other matters within the jurisdiction of the Court or on appeal from the Court.

(2) His Majesty's Greffier shall, in due course, post up from time to time in the vestibule of the Royal Court the Roll of Matrimonial Causes which are due to come before the Court, or before the Appeal Court, in pursuance or in virtue of the Law.

**Rule 22.—Listing Suit for Trial**

(1) Subject to the provisions of these Rules and to compliance with any directions in the suit given by the Court, it shall be the duty of the petitioner—

- (a) to procure the suit to be listed for trial;
- (b) thereupon, or in due course, to ascertain from His Majesty's Greffier the date which is assigned for the trial;
- (c) upon ascertaining such date, to cause to be served upon every opposite party concerned not less than fourteen days' notice of the trial, which notice shall include mention of that date, and to file, before the date of the trial, a certificate of His Majesty's Sergeant that the said service has been effected.

(2) If, within twenty-one days after the earliest date on which the petitioner could have complied with the provisions of the foregoing section, he has not done so, thereafter the respondent, or any party defending the suit, may perform any part of the duty which the petitioner has not performed thereunder.

(3) The date assigned for the trial of a suit for divorce or nullity of marriage or decree of presumption of death and dissolution of marriage thereon shall not, except with the assent of a Law Officer of the Crown, be

a date earlier than sixty days after the filing of a petition in that suit. If in the suit there is a cross-petition, whether separate or contained in some other pleading, the said period of sixty days shall be computed from the filing of such cross-petition.

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### PART III.—INTERLOCUTORY PROCEEDINGS AND PROCEEDINGS FOR ANCILLARY RELIEF

#### Rule 23.—Interveners

(1) Application to the Court for leave to intervene in any suit shall be supported by a sworn declaration, which shall be filed. The applicant shall, when filing the detailed statement required by Rule 14, give to His Majesty's Greffier an address for service within the Bailiwick.

Subject to compliance with the provisions of this Rule, leave to intervene may be given with such directions as to procedure as the Court thinks fit.

(2) A person seeking to intervene in a suit may make application for leave to intervene as aforesaid within such time as, under these Rules, would have been available to him for entering an appearance if he had been a respondent in such suit.

(3) Unless the Court otherwise directs, a party intervening shall join in the proceedings at the stage which those proceedings have reached at the time when leave to intervene is given, and, except in the case of the Investigating Officer, the name of that party shall thenceforth appear in the title to the suit.

The intervention of the Investigating Officer in a suit shall be signified in the title to the suit by the addition thereto of the expression, "The Investigating Officer intervening."

#### Rule 24.—Amendment of Pleadings and Other Documents

Any application, pleading or other document may be amended by leave of the Court, subject to any directions given by the Court as to consequential amendment of other pleadings and as to re-service.

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**Rule 25.—Pleadings and Other Procedural Steps  
out of Time**

(1) The Court may, on application, with regard to any pleading or other procedural step, direct such delimitation of time as it thinks fit.

(2) Except in virtue of a direction given by the Court under section (1) of this Rule, no pleading shall be filed out of time as delimited by these Rules.

**Rule 26.—Interrogatories and Requisitioning Production  
of Documents**

(1) Any party to a matrimonial suit who has delivered a pleading or entered an appearance conformably to these Rules may—

- (a) deliver interrogatories in writing to any opposite party, to be answered by that party;
- (b) require by notice in writing any opposite party
  - (i) to produce for his inspection any document which is in the possession of that party and which is relevant to any question at issue between the said parties in that suit; and
  - (ii) to allow a copy of such document to be taken for the use of the party making the requisition.

(2) The answer of the opposite party to any such interrogatories shall be by sworn declaration.

(3) Except by leave of the Court, no interrogatories or requisition under this Rule shall be delivered later than the end of the second day after the date of service of the notice of trial.

- (4) Unless the Court otherwise directs,
  - (a) every reply to interrogatories in a suit shall be delivered within seven days after service of the interrogatories; and
  - (b) documents the production of which has been requisitioned under this Rule shall be produced within seven days after service of the notice

provided for in sub-section (b) of section (1) of this Rule. 1945

(5) Interrogatories shall not be lawful under this Rule if they

- (a) seek to elicit from the opposite party matters which it is not incumbent on the applicant to prove in the suit; or
- (b) are directed to ascertaining the evidence to be adduced by the opposite party; or
- (c) are prolix; or
- (d) relate solely to a question of expert opinion; or
- (e) are directed solely to proving that the opposite party has committed adultery.

(6) If a party does not answer or does not adequately answer, interrogatories administered in virtue of this Rule, or does not comply, or does not adequately comply, with a requisition made under this Rule for the production of documents, the Court may deal with such omission in the award of costs.

(7) Any party making any sworn declaration under this Rule shall be reimbursed the disbursements incidental thereto by the party making the interrogatories.

(8) Unless the party making a requisition under this Rule expresses the contrary intention, the requisition shall have effect also as a notice to produce at the trial every document the production of which is required by the requisition.

(9) Any right of a party to call for the production of a document at a trial shall not be prejudiced by anything contained in this Rule.

#### **Rule 27.—Staying Proceedings for Restitution**

At any time after the commencement of proceedings for restitution of conjugal rights the respondent may apply to the Court for an order to stay the proceedings in the cause on the grounds that he or she is willing to resume cohabitation with the petitioner.

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**Rule 28.—Separate Trial of Issues**

The Court may of its own motion give directions, and a petitioner and any party who has entered an appearance in a matrimonial suit may make application to the Court for directions for the separate trial of any issue therein.

**Rule 29.—Right of Respondent or Co-Respondent to be heard on Question of Costs, Custody, Access and Damages**

(1) After entering an appearance, a respondent or co-respondent may, whether or not he has filed an answer, be heard in respect of any question as to costs, and a respondent spouse may, whether or not he has filed an answer, be heard as to any question of the custody of or access to any children of the marriage.

(2) A co-respondent shall not be heard on any question as to damages until he has filed an answer in the suit.

**Rule 30.—Contribution for Support pending suit**

A respondent wife may make an application for contributions for support pending suit at any time after entering appearance to the petition.

**Rule 31.—Public Notices of Suits and Duty to give Information to Investigating Officer in Certain Cases**

His Majesty's Greffier shall, after the filing of any petition, give notice in La Gazette Officielle of the following particulars as given in the petition and of the following requirement, namely:—

- (a) in the case of every suit for divorce or nullity of marriage, the full name and address of the petitioner and of the respondent;
- (b) in the case of every suit for presumption of death and dissolution of marriage thereon, the full name and address of the petitioner and the full name and last known address of the other spouse;

- (c) in the case of every suit for divorce or nullity of marriage or presumption of death and dissolution of marriage thereon —
- (i) the nature of the decree prayed for in the petition and
  - (ii) requiring every person who can shew cause why the decree prayed for should not be granted to inform the Investigating Officer of such cause, within twenty-one days of the first publication of the said notice.

**Rule 32.—Delivery of Documents in Suit to Investigating Officer**

Whenever the powers, rights and duties of Investigating Officer are vested in His Majesty's Procureur and His Majesty's Comptroller, either of them may from time to time, and for such time or times as he requires, require His Majesty's Greffier to deliver to him any papers filed in any suit of the kinds mentioned in Rule 31.

**Rule 33.—Intervention by Investigating Officer**

(1) (a) When the Investigating Officer wishes to intervene in any proceedings, he shall file a statement notifying his intention to intervene and setting forth the grounds of his intervention and shall as soon as reasonably practicable thereafter serve on each of the parties to the suit an examined copy of such statement, endorsed with a notice that such party is entitled to file an answer to that statement.

The Court, if it thinks fit, may suspend the proceedings in a suit, at any stage, to enable the Investigating Officer to comply with, or to act in pursuance of, any of the provisions of Article 8 (entitled "Investigating Officer") of the Law or any order made thereunder.

(b) Where the Investigating Officer alleges a petitioner's adultery with any person, he shall, unless

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otherwise directed by the Court, cause every such person to be personally served with a copy of the statement mentioned in the last foregoing sub-section, omitting any part thereof which contains any allegation in which the person so served is not named. Such copy shall be endorsed with a notice in accordance with Form 21 in the Appendix to these Rules, so far as the same is applicable.

(c) These Rules shall apply to all subsequent pleadings and proceedings in respect of the Investigating Officer's statement as if such statement were an original petition.

(2) In any suit to which this Rule applies and in which the provisions of section (1) of this Rule have been fulfilled, no hearing by the Court shall, as the case may be, begin or be proceeded with, until it is shewn to the Court that the Investigating Officer has had due notice thereof.

**Rule 34.—When Entry of Appearance Unnecessary to Pleading of Investigating Officer**

(1) In a suit in which the Investigating Officer intervenes, neither the petitioner nor any person who has entered an appearance in such suit, nor any person who obtains leave to intervene in the suit, shall be required to enter an appearance to the pleading filed by the Investigating Officer under the provisions of Rule 30; and the petitioner or such person may file an answer to such pleading within fourteen days after service upon him under Rule 33.

(2) A person who subsequently obtains leave to intervene may, within fourteen days thereafter, file an answer.

**Rule 35.—Care of Children**

(1) (a) A petitioner, at any time after service of a petition in which the custody of any children of the marriage is claimed;

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- (b) the respondent to any such petition, after entering an appearance to the petition;
- (c) any person who has the custody or control of such children; and
- (d) any person to whom the Court gives leave for the purpose;

may apply to the Court for an order under Part VII. of the Law.

(2) The Court, on the making of an application under this Rule by a person other than a person having the de facto custody or control of such children, shall hear such last-mentioned person if he or she so desires, and the Court may refuse to make an order until it is satisfied that that person has received such notice, through the post or otherwise, as would be sufficient to enable such person to make representations to the Court in the matter.

(3) An order made by the Court under this Rule may include the appointment of any person or persons approved by the Court to safeguard the interests of the children in the execution of such order.

#### **Rule 36.—Applications under Part VIII. of the Law**

(1) Except by leave of the Court, no respondent may make an application under Part VIII. (entitled “Property and Contributions for Support”) of the Law, later than six calendar months next after the making of the decree in the suit out of which the application arises.

In this sub-section, the expression “the making of the decree” means, in the case of a decree which is provisional, the making of a Final Order in relation to that decree.

(2) If the relevant decree is provisional, no such order of the Court under Part VIII. of the Law, other than an interim order under Article 47 (entitled “Contributions for Support”), shall take effect, save in so far as it relates to the preparation, execution or approval of a deed or other instrument, and no settlement made in

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pursuance of any such order shall take effect, unless and until a Final Order is made in relation to that decree.

(3) Upon an application under Part VIII. of the Law for the variation of marriage settlements or any other proceeding provided for in Article 45 (entitled "Power of Court to Vary Settlements, etc.") of the Law, the vesting or division of property, the securing of payments for or towards support, or the settlement of a wife's property in favour of husband or children, the Court, unless it is satisfied that the proposed variation or other proceeding would not adversely affect the rights or interests of any children of the marriage or, as the case may be, that the said vesting or division of property, securing of payments or settlement would make adequate provision for any children of the marriage, may direct that the children be separately represented by counsel and may also assign a guardian ad litem in the matter for any minor children and administer the appropriate oath to such guardian.

**Rule 37.—Evidence on Application for Contributions for Support, Etc.**

(1) Where a husband is served with a petition in which an interim order directing him to make payments to his wife, for or towards her support, is claimed, he shall, within fourteen days, or such further period as the Court directs, file a sworn declaration setting out full particulars of his property and income and thereupon furnish an examined copy thereof to his wife.

(2) Where a spouse has been served with a notice of an application by the other spouse for an order of a kind for which provision is not made in paragraph (1) of this Rule, for contributions for support, or for the maintenance or education of the children of the marriage, the spouse so served with notice shall, within the time provided for in the foregoing section, file a sworn declaration setting out full particulars of his or her property and income and thereupon furnish an examined copy thereof to the other spouse.

(3) If, when furnishing a sworn declaration made in pursuance of the foregoing provisions of this Rule, a spouse alleges that the other spouse has property or income, that other spouse may, within fourteen days after the said sworn declaration has been furnished to him or her, file a sworn declaration in reply to that allegation, and thereupon furnish an examined copy thereof to the other spouse; but no further evidence in the matter shall be filed by any party without leave of the Court.

**Rule 38.—Evidence in Support of Application for Variation of Settlement, Etc.**

(1) An application under Article 45 (entitled “Power of Court to vary Settlements, etc.”) or Article 50 (entitled “Power of Court to order settlement of wife’s property,” etc.) of the Law, shall state the nature of the variation or other proceeding or settlement proposed and shall, unless otherwise directed, be supported by a sworn declaration by the petitioner stating the facts relied on, and such sworn declaration shall set forth full particulars of the marriage and any children of the marriage, and short particulars of any marriage contract, marriage settlement, post-nuptial settlement, funds brought into settlement by the parties to the marriage and any terms of separation subsisting between them and, in the case of an application for settlement of the wife’s property, full particulars, so far as they are within the declarant’s knowledge or possession, of the property to which she is entitled either in possession or reversion.

(2) On the filing of the application, the Court shall direct within what limit of time the opposite party may, as a condition of being allowed to contest the application, submit to the Court a sworn declaration in answer thereto, and the said party may make such sworn declaration accordingly. The Court may, at the hearing, make such order as it deems just on the merits, or may adjourn the hearing for further evidence or argument and thereafter make such order as aforesaid.

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**Rule 39.—Security for Wife's Costs**

(1) A wife who is a petitioner or who has entered an appearance may apply to the Court for an Order that her husband shall pay into Court or give security for her costs of and incidental to —

- (a) the taking of evidence outside the jurisdiction of the Court,
- (b) other matters preparatory to presenting her case to the Court,
- (c) the trial or other hearing in the suit.

(2) Unless the husband proves that the wife has sufficient separate estate or shews other good cause, the Court may make an order accordingly in respect of such sum or sums as it is satisfied have been or are likely to be properly incurred by the wife for any one or more of the purposes mentioned in sub-sections (a), (b) and (c) of section (1) of this Rule.

**PART IV.—DECREES AND ORDERS****Rule 40.—Form of Decrees and Orders**

(1) His Majesty's Greffier shall draft, and submit for the approval of the Court, every decree and order of the Court.

(2) Where in any case there has been a finding of adultery against one of the parties to the suit, but the Court has refused to exercise its discretion under paragraph (2) of Article 18 (entitled "Duty of Court on Presentation of Petition for Divorce") of the Law, such finding and refusal shall be set out in the decree; and where in such case the Court exercises its discretion the decree shall state that it is made in the exercise of the discretion conferred on the Court by the said Article.

**Rule 41.—Application out of Time for Final Order**

If an application for a Final Order under Article 12 (entitled "Decrees and Final Orders") of the Law is made after the expiration of twelve calendar months

from the date on which it might first have been made, there shall be filed with the statement filed under Rule 15 a sworn declaration by the applicant accounting for the delay; and the application shall not proceed without the leave of the Court.

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## PART V.—SPECIAL PROVISIONS RELATING TO MINORS AND PERSONS OF UNSOUND MIND

### **Rule 42.—Minors and Persons of Unsound Mind as Parties**

(1) A minor or person of unsound mind commencing, prosecuting, defending or intervening in any suit to which these Rules relate, shall do so by a guardian appointed to him, and sworn for the purpose, by the Court.

Before appointing such a guardian to a minor who is not of unsound mind, for the purpose of the presentation and prosecution of a petition, the Court shall satisfy itself that the minor consents to the proposed proceedings in the matrimonial suit.

The time limited or provided by these Rules for the taking of any procedural step, after the service of any document, shall, where the litigant affected by the relevant Rule is a minor or person of unsound mind, commence to run from the date of the appointment of a guardian under this section.

(2) When in any such suit any document is required to be personally served, and the person on whom service is to be effected is a minor who is not of unsound mind, then, unless the Court otherwise directs, such document shall be served on the said minor, and an examined copy of that document shall be served

(a) on the guardian, if any, already appointed under the foregoing section, or, if no such appointment has been made, on one of the Law Officers of the Crown, who shall, as soon as practicable, take steps to procure the appointment of such a guardian, and

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(b) on any such guardian thereupon or thereafter appointed.

(3) When in any such suit any document is required to be personally served, and the person on whom service is to be effected is of unsound mind. then, unless the Court otherwise directs, such document shall be served on the person with whom the person of unsound mind resides or under whose care he is, and service so effected shall be deemed good service on the person of unsound mind; and an examined copy of that document shall be served

(a) on the guardian, if any, already appointed under section (1) of this Rule, or, if no such appointment has been made, on one of the Law Officers of the Crown, who shall, as soon as practicable, take steps to procure the appointment of such a guardian, and

(b) on any such guardian thereupon or thereafter appointed.

(4) Any document served in accordance with the last foregoing section shall be endorsed with a notice that the contents or purport of the document shall be communicated to the person of unsound mind to whom it relates, unless the person on whom the document was served is satisfied —

(a) if he is the medical attendant of the person of unsound mind or the medical officer of the institution in which the person of unsound mind is, or

(b) if he is not such medical attendant or officer, then after consultation with that medical attendant or officer,

that such communication would be detrimental to the mental condition of the person of unsound mind, or be without proper significance for that person.

(5) (a) After service of any document has been effected upon a person of unsound mind in accordance with the foregoing provisions of this Rule, the party

at whose instance the document was served shall, unless the Court otherwise directs, file either —

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- (i) a sworn declaration made by the person with whom the person of unsound mind resides or under whose care he is, stating whether or not the contents or purport of the document were communicated to the person of unsound mind, and, if they were not, giving the reasons why they were not so communicated; or
- (ii) a statement in writing accounting for the absence of such sworn declaration.

(b) The Court may require the attendance before it, and may examine on oath or otherwise, any person who ought to have made a sworn declaration, conformably to the provisions of the foregoing sub-section (a).

(6) For the purposes of this Rule, a person is of unsound mind if

- (a) he has been certified as being of unsound mind —
  - (i) under the Mental Treatment Law (Guernsey), 1939, or any Law amending or supplementing that Law; or
  - (ii) by the competent authority elsewhere than in this island;  
and a certificate to that effect is still in force at the material time; or
- (b) he is a temporary patient within the meaning of the “Loi ayant rapport aux Faibles d’Esprit, 1926,” or of any Law amending or supplementing that Law.

## PART VI.—REGULATIONS RELATING TO POOR PERSONS

### Rule 43.—Meaning of “Poor Person”

(1) Subject to the provisions of paragraph (2) of this Rule, a poor person, within the meaning of these Rules, is a person —

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- (a) whose assets (excluding wearing apparel and tools of trade) do not exceed in value one hundred pounds; and
- (b) whose usual income from all sources does not exceed the rate of four pounds a week.

(2) Where the person applying to be admitted to proceed as a poor person is a wife, she shall, subject to the provisions of paragraph (3) of this Rule, be deemed to be a poor person only if she and her husband together fulfil the conditions as to assets and income stated in paragraph (1) of this Rule, inclusive of taking into account any joint assets and joint income which they have.

(3) For the purpose only of obtaining from her husband security for her costs in the matrimonial cause, or contribution for support pendente lite, a wife shall be deemed to be a poor person if she herself, considered apart from her husband's assets and income, satisfies the conditions as to assets and income stated in paragraph (1) of this Rule.

#### **Rule 44.—Poor Person's Certificates**

(1) Any poor person who desires to be granted legal assistance as a poor person in instituting, prosecuting, or defending a matrimonial suit shall apply to the Magistrate for a certificate as provided for in this Rule.

(2) The Magistrate shall examine the applicant on oath and may require the applicant to make a sworn declaration as to any facts alleged in support of the application; and he may also take evidence on oath or by sworn declaration from any other person whose testimony he regards as material to the application.

(3) If, after the investigation provided for in the last foregoing section, the Magistrate is satisfied that it is proved that the poor person's circumstances are such that he is unable to pay the cost of instituting, prosecuting, or defending the proceedings in the matrimonial suit, but not otherwise, and if the

Magistrate is satisfied that there is, in such suit, a prima facie case to be laid before the Court for Matrimonial Causes, the Magistrate shall, subject to the provisions of the next ensuing paragraph, certify that the applicant is a poor person entitled to legal assistance in accordance with these Rules.

(4) Where the applicant is a wife,, the Magistrate may grant one or more of the following certificates —

- (a) a certificate that she is entitled to proceed as a poor person in the matrimonial suit;
- (b) a certificate that she is entitled thus to proceed in so far as may be necessary to enable her to obtain from her husband security for her costs therein;
- (c) a certificate that she is entitled thus to proceed in so far as may be necessary to obtain from her husband contribution for support pendente lite.

(5) Every poor person's certificate granted by the Magistrate under these Rules shall be in duplicate and each copy shall be signed by him and shall bear the date on which it is granted, and one copy shall be filed by the Magistrate for the use of the Court.

#### **Rule 45.—Poor Person's Resources to be Certified**

The Magistrate, in his certificate, shall state the amount of the poor person's assets and income as he finds them proved.

#### **Rule 46.—Proceedings by and Against Poor Persons**

Any poor person who has obtained a poor person's certificate may apply to the Court for the assignment of an advocate to act for him in instituting and prosecuting, or in defending, proceedings, as a poor person, in a matrimonial suit in which such person is concerned; and the Court, in so assigning an advocate, may prescribe the fees to be payable to him by the poor person, not exceeding the following —

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- (a) where the poor person is a petitioner, and whether or not the petition is defended, the sum of five pounds, together with the amount of any disbursements incurred by the advocate on the petitioner's behalf;
- (b) where the poor person is a party other than a petitioner —
  - (i) the sum of two pounds, together with the amount of any disbursements incurred by the advocate in relation to any answer or other pleading, and
  - (ii) a further sum of two pounds in respect of representing the party before the Court.

**Rule 47.—Non-Liability for Court Fees and Costs**

The poor person named in the poor person's certificate shall not be liable for any Court Fees in the suit to which the certificate relates, and unless the Court otherwise orders, in the exercise of its powers under Article 68 (entitled "Power of Court to award costs," etc.) of the Law, the poor person shall not be liable to pay costs to any other party.

**Rule 48.—Allowable and Prohibited Payments to Poor Person's Advocate**

(1) The Court may, from time to time, allow such payments as it thinks just to be made by a poor person to his advocate acting in the matrimonial suit in respect of out-of-pocket expenses, which shall not include office expenses.

(2) The Court may require a poor person to deposit in Court, or as the Court directs, a sum of money, in order to cover the fees and disbursements of his advocate under Rule 46 (entitled "Proceedings by and against Poor Persons") and, if such deposit is found to be insufficient in relation to the proceedings, may direct a further sum or further sums to be deposited. Any sum so deposited shall be used only for the payment

to the advocate of any out-of-pocket expenses (not including office expenses) properly incurred in the course of the proceedings; and any surplus shall be repaid to the poor person.

(3) Except as provided by these Rules no advocate shall take, or agree to take, or seek to obtain, any payment, fee, profit or reward for the conduct of the proceedings or for out-of-pocket or other expenses. If any such payment, fee, profit, or reward is made, given or promised, the Court may order the suspension of the operation of any certificate given by the Magistrate under these Rules, and thereafter the poor person shall not be admitted in the same proceedings as a poor person unless the Court otherwise directs.

**Rule 49.—Discharge of Poor Person's Certificate**

If he finds cause for doing so, the Magistrate may recommend to the Court, in writing, that any certificate given by him under these Rules should be discharged, giving his reasons for such recommendation, and, if the Court directs the discharge, the poor person shall not, unless the Court otherwise orders, be entitled to the benefit of this Part of these Rules in any proceedings to which the certificate relates; and the Court may, if it thinks fit, order such discharge of its own motion or on the application of any person whom it holds to be interested in so applying.

**Rule 50.—Discontinuance of Proceedings**

After the date on which a poor person's certificate is granted, neither the poor person nor his advocate shall enter into any settlement or compromise, whether before or after the commencement of the proceedings, nor discontinue the proceedings, without leave of the Court.

**Rule 51.—Termination of Retainer**

(1) No poor person shall, without leave of the Court, terminate the retainer of any advocate acting for him.

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(2) No advocate shall be at liberty to discontinue his assistance to the poor person, unless he satisfies the Court that he has reasonable ground for discontinuing his assistance.

**Rule 52.—Acquisition of Means after the Grant of Poor Person's Certificate**

If and whenever the poor person, or, where the wife is the poor person, if and whenever she or her husband, becomes possessed of means beyond those stated in the poor person's certificate, the poor person shall forthwith, and from time to time, report accordingly to his advocate, who shall thereupon make a report in writing to the Magistrate.

**Rule 53.—Costs in Favour of Poor Person**

(1) The Court may order an opposite party to pay the expenses of a poor person. Where such an order is made it shall be deemed to include all out-of-pocket expenses properly incurred in the course of the proceedings, and advocate's fees paid or payable by that poor person under these Rules, but not office expenses or Court fees.

Where it appears to the Court that the proceedings are of such length or difficulty as to place an unusual burden on the advocate, the Court may order the opposite party to pay, in addition, such sums as the Court thinks fit in respect of such unusual burden.

(2) Where it appears to the Court that any opposite party has acted unreasonably in bringing or defending the proceedings or in his conduct of them, or that the special circumstances of the case require it, the Court may order the opposite party to pay the costs of the poor person, which costs may in that event, if the Court so orders, include profit costs, or a proportion of profit costs, or a specified sum in respect thereof, in addition to the out-of-pocket expenses properly incurred in the course of the proceedings, but not Court fees.

(3) Where an order is made for the payment of costs, under section (1) or section (2) of this Rule, the order shall not be enforced without leave of the Court, and the Court may refuse leave if satisfied by the party ordered to pay costs that he has not the means to pay them.

**Rule 54.—Fraud and Misrepresentation**

Where it appears to the Court that a poor person's certificate was obtained by fraud or misrepresentation, the Court may order the poor person to pay the costs of the opposite party, and, where such an order is made, such costs shall be assessed as if the poor person ordered to pay them were not a poor person.

**Rule 55.—Payment out of Money Recovered  
and Property or Interest Awarded**

(1) Having regard to any property or interest awarded by the Court to a poor person, or any money recovered by the poor person in a matrimonial suit, the Court may direct that the poor person's advocate shall be entitled to

- (a) such sum in respect of costs as would have been ordinarily chargeable by the advocate if the said party had not been a poor person, or
- (b) such other sum in respect of costs as the Court thinks fit;

and any sum to which the advocate is thus entitled by direction of the Court (less such amount as may be recovered by the advocate from any other party), may be recovered by the advocate out of the money recovered by the poor person as aforesaid or out of such property or interest awarded to the poor person as aforesaid:

Provided that the total amount so to be paid out or charged for profit costs, shall not in either case exceed one-fourth of the amount or value recovered and remaining after the deduction therefrom of all proper disbursements made by the said advocate.

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(2) In this Rule, money or property recovered includes money or property recovered by virtue of a settlement or compromise.

## PART VII.—APPEALS

### Rule 56.—Appeals: Notice to H.M. Greffier

Wherever due notice of appeal from a judgment of the Court for Matrimonial Causes is received at the Greffe, His Majesty's Greffier shall, in addition to any customary record thereof, cause a memorandum of such notice, and of the date of its receipt, to be entered in the margin of the minute recording the said judgment in the Register of Divorce and other Matrimonial Causes.

## PART VIII.—MISCELLANEOUS

### Rule 57.—Evidence

(1) Subject to the provisions of the Law and of this Rule, the witnesses at the hearing of any matrimonial suit shall be examined viva voce and in open Court:

Provided that the Court may

- (a) subject to the provisions of paragraph (3) of this Rule, order that any particular facts specified in the order may be proved by sworn declaration;
- (b) order that the sworn declaration of any witness may be read at the hearing on such conditions as the Court may think reasonable;
- (c) order that evidence of any particular facts specified in the order shall be given at the hearing by statement on oath of information and belief, or by production of documents or entries in books or by copies of documents or entries or otherwise as the Court directs.

(2) The Court may order that not more than a specified number of expert witnesses may be called.

(3) Where it appears to the Court that any party reasonably desires the production of a witness for

cross-examination and that such witness can be produced, an order shall not be made authorising the evidence of such witness to be given by sworn declaration, but the expenses of such witness on attendance at the hearing shall be the subject of special consideration and direction by the Court.

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(4) Any party may apply to the Court for the appointment of a commission or for letters of request to examine a party or witness in any suit and for leave to give the depositions taken on the examination in evidence at the hearing, and the Court, if it thinks fit, may grant the application and may give leave on such terms and conditions as it deems advisable.

(5) Nothing contained in any order made in virtue of this Rule shall affect the power of the Court at the hearing to refuse to admit evidence tendered in accordance with any such order if in the interests of justice it thinks fit to do so.

#### **Rule 58.—Sworn Declarations**

(1) A sworn declaration for the purposes of these Rules shall —

- (a) if made in the Island of Guernsey, be made before the Bailiff, or Lieutenant-Bailiff, and any two Jurats, or before a Notary Public;
- (b) if made in the Island of Alderney, be made before the Judge, or Lieutenant-Judge, and any two Jurats;
- (c) if made in the Island of Sark, be made before the Seneschal;
- (d) if made in the Island of Jersey, or in Great Britain, Northern Ireland, or the Isle of Man, be made before any person authorised by law in the place in which it is made to take sworn declarations or administer oaths;
- (e) if made elsewhere, be made before—(i) a Consular Officer of His Majesty, or (ii) any person authorised by law in the place in which

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it is made to take sworn declarations or administer oaths.

(2) To every sworn declaration made under the provisions of paragraph (ii) of sub-section (e) of section (1) of this Rule shall be annexed a certificate that the person before whom it was sworn was, when it was sworn, a person duly authorised to take sworn declarations or administer oaths in the jurisdiction in which the declaration was made, and such certificate shall be

- (a) sealed with the seal of the High Court or of any Court of Record of such jurisdiction, or
- (b) signed by a member of the judiciary of such jurisdiction, or by the Registrar or similar officer of a Court of Justice in such jurisdiction, or by a Consular Officer of His Majesty holding office in such jurisdiction.

(3) In this Rule, the expression "Consular Officer" has the meaning assigned to that expression in the Interpretation Act, 1889, registered on the Records of this Island on the 20th March, 1926.

#### **Rule 59.—Questions Suggesting Witness's Adultery**

Before any question is put to a witness tending to show that he has been guilty of adultery, the advocate or other person who wishes to put that question shall inform the Court of the proposed question, and the Court shall thereupon determine whether or not the question is, conformably to the provisions of the second paragraph of Article 61 (entitled "Evidence") of the Law, admissible.

#### **Rule 60.—Copy of Decree or Other Act of Court**

(1) A sealed or other copy of any decree of the Court or other Act of Court may be issued to any person requiring it, on payment of the prescribed fee. Such copy shall bear the date of the day on which it is issued, as well as the date of the decree or other Act of Court.

(2) In the case of a decree of divorce or decree of nullity of marriage, any such copy shall bear on its face a certificate by His Majesty's Greffier, stating whether the said decree is provisional only or has ceased to be provisional by having been followed by a Final Order or by such an Order in Council as is referred to in sub-paragraph (b) of paragraph (1) of Article 12 (entitled "Decrees and Final Orders") of the Law.

(3) Any copy, issued under this Rule, of a decree of a kind other than those mentioned in the last foregoing section shall bear on its face a certificate by His Majesty's Greffier, stating whether the decree is subject to any right of appeal still subsisting at the date of that certificate.

#### **Rule 61.—Reversal of Decree of Judicial Separation**

(1) A petition to the Court for the reversal of a decree of judicial separation shall set out particulars of the decree the reversal of which is being prayed and the grounds on which the petitioner relies.

(2) All pleadings and proceedings arising out of such petition and any answer thereto shall be filed and carried on in the same manner as is by these Rules directed in respect of the original petition and answer thereto.

#### **Rule 62.—Rescission and Discharge of Judicial Separations**

His Majesty's Greffier shall keep a Register of Declarations of Rescission of Judicial Separations, made conformably to the requirements of sub-paragraph (a) of paragraph (1) of Article 29 (entitled "Provisions regarding termination of separation," etc.) of the Law, in accordance with Form 24 or Form 25 in the Appendix to these Rules, as the case requires, and shall cause a memorandum of any such declaration and of any discharge made under sub-paragraph (b) of the said paragraph, to be entered in the margin of the minute

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which records the Act of Court pronouncing the separation to which the said declaration relates.

**Rule 63.—Priority of “Hypothèque”**

Upon the registration of an order whereby the Court makes a declaration pursuant to Article 52 of the Law (entitled “Power of Court to award particular priority to ‘hypothèque’”), awarding particular priority to a “hypothèque,” His Majesty’s Greffier shall, in entering the same in the Record of Hypothèques, etc., to which an Alphabetical Index is attached, make a sufficient note of the priority awarded by the Court.

**Rule 64.—Medical Inspection**

(1) In proceedings for nullity on the ground of impotency, the petitioner shall, as soon as may be, apply to the Court for the appointment of medical inspectors to examine the parties. The Court shall, upon such application —

- (a) appoint two medical inspectors, neither of whom shall be the ordinary medical attendant of either party, to examine the parties and report to the Court the result of the examination; and
- (b) order the parties to attend the said inspection for the purposes of the examination.

The above-mentioned order, endorsed with the date, time and place of the inspection for each party, shall be served personally upon the respondent or his advocate at least four days before that date.

(2) An advocate to whom the party is known shall accompany each of the parties at the time and place fixed for the inspection, for the purpose only of identifying the parties respectively to the inspectors. After each identification, which shall take place at a separate interview for each party, each party and the said advocate shall sign a minute of identification bearing date of that day, and the minute shall be annexed to the report submitted by the inspectors to the Court.

(3) On a petition for nullity on the ground that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate the marriage, either party may apply to the Court for the appointment of medical inspectors to examine the parties. The Court shall, upon such application, appoint two medical inspectors as aforesaid and either of the parties shall be at liberty to undergo examination by such inspectors. The provisions of paragraph (2) of this Rule shall apply to any such examination and the inspectors shall report to the Court the result of the examination.

(4) In order to ensure that the parties shall not meet at the place appointed for the medical inspection, the times of their respective appointments with the inspectors shall be arranged at a suitable interval, or alternatively, separate waiting rooms shall be provided for them.

(5) Every report made in pursuance of this Rule shall be filed in a file which shall not be available to the public, and either party shall be entitled to be supplied with a copy upon payment of the prescribed fee.

(6) The Court may grant a decree of nullity of marriage notwithstanding that the respondent has not submitted to medical inspection.

#### **Rule 65.—Security for Costs**

Any Court exercising jurisdiction under the Matrimonial Causes Law (Guernsey), 1939, may require security for costs to be given by a petitioner or an applicant for leave to intervene, as a condition of proceeding with his petition or application.

#### **Rule 66.—Dating of Procedural Documents**

Every petition and notice, and every other procedural document issued under these Rules, shall bear the date of the day on which it is signed. If any document is signed by more than one person and bears no more than one date as the date of its having been signed, that date

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shall, unless the contrary appears, be presumed to be the date on which it was signed by each of those persons.

**Rule 67.—Time Allowance in Process, for Absentees**

(1) Where, under these Rules, a period from the date of the service of process on any person —

(a) who has not, either voluntarily or in compliance with these Rules, furnished an address for service in the Island of Guernsey; and

(b) whose address for service is not, under the operation of these Rules, situate at the office of His Majesty's Sergeant;

is limited for the taking by that person of some procedural step, then if at such date as aforesaid, that person is absent from the Island of Guernsey, the period so limited shall, unless the Court otherwise directs, be increased —

(i) if such process was personally served on that person, by a period equivalent to one half of the period of the "Terme à Ecrire" which, under the provisions of the Ordinance entitled "Ordonnance provisoire au sujet des termes à écrire" dated the 8th day of February, 1936, and any Ordinance amending the same, would be appropriate in the circumstances of that person in proceedings, other than matrimonial suits, directed against that person, before the Royal Court; or

(ii) if the service of such process on that person was by means of substituted service, then—  
if the whereabouts or recent whereabouts of that person are known by such period as is last hereinbefore mentioned; and

if the whereabouts or recent whereabouts of that person are not known, by a period of sixty days.

(2) For the purposes of a notice under Rule 14 (entitled "Proceedings preparatory to hearing of Application"), the period of notice required by that Rule shall be increased by the period allowed under this Rule for the taking of such a procedural step as is referred to in section (1) of this Rule.

**Rule 68.—Computation of Time**

(1) Except as provided in the next ensuing section, and unless the Court otherwise directs, Sunday, Christmas Day, Good Friday and Public Holidays declared by Ordinance of the Royal Court, shall be included in any period of time delimited in these Rules for the taking of a procedural step.

(2) When such time as aforesaid expires on a Sunday or other day mentioned in the foregoing section, that time shall be computed so as to extend to and include the next working day following that Sunday or other such day, as the case may be.

(3) The days of August and September shall, unless the Court otherwise directs in any particular case, and except for the purpose of an application for such a direction, be dies non juridici so far as regards the computation of time, under these Rules, for the taking of any procedural step.

(4) Where any limited time from or after any date or event is appointed or allowed by these Rules or by an order of the Court for doing any act or taking any procedural step or any proceeding, then, unless the Court otherwise directs,

- (a) in the computation of such limited time, that time shall be taken as exclusive of the day of that date or the happening of that event, and as commencing at the beginning of the next following day; and
- (b) the act, procedural step or proceeding shall be done or taken at the latest on the last day of that limited time, unless the last day is a day

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mentioned in section (1) of this Rule, and, if it is such a day, the provisions of section (2) of this Rule shall apply.

**Rule 69.—General Provision Regarding Procedure**

With regard to any matter for which these Rules do not specifically provide, the procedure applicable shall, as nearly as circumstances permit, be that of the Royal Court in civil cases.

**Rule 70.—General Provision Regarding Forms**

General Forms of Process are set out, by way of example, in the Forms contained in the Appendix to these Rules, and, subject to all relevant specific requirements contained in these Rules, such Forms shall be followed as nearly as may be, according to the circumstances of the suit in which they are used; and the provisions of these Rules regarding the use of any particular Form shall be construed accordingly.

**Rule 71.—Interpretation**

(1) The provisions of Article 1 (entitled “Definitions and Interpretation”) of the Law shall apply in like manner to the words and expressions therein mentioned, when they occur in these Rules.

(2) In these Rules, unless the context otherwise requires or it is otherwise specially provided, the following words and expressions have the meanings hereby respectively assigned to them, namely:—

“Ancillary relief” means relief by way of the award of pecuniary, proprietary or personal rights (including an order under Part VII. (entitled “Care of Children”) of the Law) granted in virtue of the Law or of these Rules, subordinately to, or in consequence or furtherance of, the granting of a decree under the Law or in connexion with proceedings directed to obtaining such a decree:

“ Court Fees ” includes the fees chargeable by His Majesty’s Greffier and His Majesty’s Sergeant:

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“ Endorsed ” includes the placing of any written or printed matter to which the expression relates after and on the same document as any antecedent written or printed matter, but such subsequently written or printed matter shall not be on the back of any part of the said document.

“ Examined copy ” means examined against the original by His Majesty’s Greffier marked as examined by the examining officer, and sealed with the seal of His Majesty’s Greffier:

“ Filed ” means handed to His Majesty’s Greffier for filing as a document for inclusion in the dossier relating to the suit in question; and “ file ” and “ filing ” shall be correspondingly construed:

“ His Majesty’s Greffier ” includes any Deputy Greffier:

“ The Island ” and “ This Island ” mean the Island of Guernsey:

“ The Law ” means The Matrimonial Causes Law (Guernsey), 1939, and any Law amending, supplementing or superseding that Law:

“ Opposite parties ” means parties between whom there is some right to be adjusted in the proceedings:

“ Petition ” means a petition for the purposes of these Rules and includes “ cross-petition,” whether made separately or in another pleading, in so far as is necessary, and the word “ petitioner ” shall be correspondingly construed:

“ Sworn declaration ” means a declaration in writing which is deposed to on oath or by affirmation or solemn declaration by the declarant, and which complies with the provisions of Rule 58.

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**Rule 72.—Commencement**

These Rules shall come into operation on such day as the Royal Court by Ordinance appoints.

**Rule 73.—Short Title**

These Rules may be cited as the Matrimonial Causes Rules, 1945.

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## APPENDIX OF FORMS

The Forms contained in this Appendix are subject to the provisions of Rules 70 (entitled "General Provision regarding Forms")

## FORM 1

## DIVORCE

(Rule 5 (1) )

**HUSBAND'S PETITION FOR DISSOLUTION OF MARRIAGE ON THE GROUND OF ADULTERY.**

IN THE ROYAL COURT OF GUERSEY  
MATRIMONIAL CAUSES DIVISION

|                |      |                |
|----------------|------|----------------|
| <i>Between</i> | A.B. | Petitioner     |
|                | and  |                |
|                | C.B. | Respondent     |
|                | and  |                |
|                | E.F. | Co-Respondent. |

TO THE COURT FOR MATRIMONIAL CAUSES:

This                      day of                      , 19  
THE PETITION of A.B. (*in Poor Persons' cases add—"Suing as a Poor Person"*) sheweth—

(1) That on the                      day of                      , 19                      , your petitioner was lawfully married to C.B., then C.D., spinster (*or give other status*) (hereinafter called the respondent) at (*state place of marriage, copying details exactly from marriage certificate*);

(2) That after the said marriage, your petitioner and the respondent lived and cohabited at (*give at least one specific address: if there has been no cohabitation within the jurisdiction, state this*), and there is issue of that marriage now living (*if there is living issue, give names and dates of birth, or names and ages; alternatively, state that there is no living issue*).

(3) That your petitioner is a (*state occupation and status*) and resides at (*give specific address*); that the said

respondent resides at (*give specific address*); and that both your petitioner and the said respondent are domiciled in the Bailiwick of Guernsey; 1945

(4) That there have been no previous proceedings in any Court with reference to the said marriage by or on behalf of either party to the said marriage; (*if there have been such proceedings, give nature and date, the result of same, and the purport of any decree or order, and state whether there has been cohabitation since the making thereof, and that, save and except those stated, there have been no proceedings*);

(5) That the said respondent has frequently committed adultery with E.F. (*or, with a man whose name and identity are unknown*);

(6) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, the said respondent committed adultery with E.F. (*or, with a man whose name and identity are unknown*);

(*The following paragraphs, 7 and 8, should be inserted where applicable*).

(7) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the said respondent was delivered of a child named \_\_\_\_\_, the paternity of which is in dispute.

(*If paragraph 7 is used, there should, in paragraph (2), after stating the issue of the marriage, be added, after the words "now living," the words "other than as set out in paragraph 7."*)

(8) That your petitioner claims damages against the said E.F.

Your petitioner therefore prays that the Court will be pleased to decree (*or, where the discretion of the Court is sought to be exercised*: that the Court will be pleased to exercise its discretion in his favour and decree)—

- (1) That the marriage of your petitioner with the said respondent be dissolved;
- (2) (*Where applicable*) That your petitioner may have the custody of his said children;

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- (3) (*Where applicable*) That the sum of £  
be paid by the said E.F. as damages in respect  
of the adultery by him committed with the said  
respondent;
- (4) That the said E.F. (*and, if costs are claimed  
against the wife, and the said respondent*) be  
condemned in the costs of these proceedings;
- (5) (*Insert in all cases*) That your petitioner may  
have such further and other relief as may be  
just.

(Signed) A.B.

(Petitioner's signature).

## FORM 2.

## DIVORCE

(Rule 5 (1) )

*WIFE'S PETITION FOR DISSOLUTION OF  
MARRIAGE ON THE GROUND OF  
ADULTERY*

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

|                |      |                |
|----------------|------|----------------|
| <i>Between</i> | A.B. | Petitioner     |
|                | and  |                |
|                | C.B. | Respondent     |
|                | and  |                |
|                | E.F. | Co-Respondent. |

TO THE COURT FOR MATRIMONIAL CAUSES:

This                      day of                      , 19 .  
THE PETITION of A.B. (*in Poor Persons' cases add—  
"Suing as a Poor Person"*) sheweth —

(1) That on the                      day of  
19 , your petitioner, then A.S., spinster (*or give other  
status*) was lawfully married to C.B. (hereinafter called  
the respondent) at (*state place of marriage, copying  
details exactly from marriage certificate.*);

(2) That, after the said marriage, your petitioner and the said respondent lived and cohabited at (*give at least one specific address: if there has been no cohabitation within the jurisdiction, state this*), and there is issue of that marriage now living (*if there is living issue, give names and ages: alternatively, state that there is no living issue*);

(3) That your petitioner resides at (*give specific address*); that the said respondent, who is a (*state occupation or status*), resides at (*give specific address*); and that both your petitioner and the said respondent are domiciled in the Bailiwick of Guernsey;

(4) That there have been no previous proceedings in any Court with reference to the said marriage by or on behalf of either party to the said marriage (*if there have been such proceedings, give nature and date, the result of same, and the purport of any decree or order, and state whether there has been cohabitation since the making thereof, and that, save and except those stated, there have been no proceedings*);

(5) That the said respondent has frequently committed adultery with W.N. (*or, with a woman whose name and identity are unknown*);

(6) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, the said respondent committed adultery with W.N. (*or, with a woman whose name and identity are unknown*);

(*The following paragraphs 7, 8 and 9, should be inserted where applicable.*)

(7) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the said W.N. was delivered of a child, of which the respondent is the father;

(8) That your petitioner claims damages against the said W.N.;

(9) (*Where payment, pending suit, for or towards the petitioner's support, etc., is claimed*). That, to the best of your petitioner's knowledge and belief, the said respondent derives from his (*business or profession,*

1945 \_\_\_\_\_ or position, as a *state occupation*) an annual income of £ \_\_\_\_\_, and also owns real and personal property, to the approximate value of £ \_\_\_\_\_.

Your petitioner therefore prays that the Court will be pleased to decree (*or, where the discretion of the Court is sought to be exercised: that the Court will be pleased to exercise its discretion in her favour and decree*)—

- (1) That the marriage of your petitioner with the said respondent be dissolved;
- (2) (*Where applicable*) That your petitioner may have the custody of her said children;
- (3) (*Where applicable*) That the sum of £ \_\_\_\_\_ be paid by the said W.N. as damages in respect of the adultery by her committed with the said respondent;
- (4) That the said W.N. (*and, if costs are claimed against the husband: and the said respondent*) be condemned in the costs of these proceedings;
- (5) (*Where applicable*) That the said respondent be ordered to make payments, pending suit, for or towards your petitioner's support (*etc. as applicable*), as the Court deems just;
- (6) (*Insert in all cases*) That your petitioner may have such further and other relief as may be just.

(Signed) A.B.

(Petitioner's Signature)

### FORM 3.

#### DIVORCE

(Rule 5 (1) )

#### INSTANCES OF ALLEGATIONS OF GROUNDS OF PETITION OTHER THAN ADULTERY

##### (1) *Desertion*

(5) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the said respondent left your petitioner, and has ever since lived separate and apart from her (*or, him*),

and deserted her (*or, him*) without just and reasonable cause for a period of three years and upwards immediately preceding the presentation of this petition.

(2) *Cruelty*

(5) (a) That the said respondent is a man of violent temper and that he has, in and during the years 19 and 19 , habitually used coarse, abusive, violent and threatening language towards your petitioner and has frequently assaulted and struck her.

(b) That on the day of , 19 , at , the said respondent violently (*describe the act or acts of cruelty in detail, in separate paragraphs*); or

(c) That on or about the day of , 19 , the said respondent wilfully and recklessly communicated to your petitioner a venereal disease, namely , being thereby guilty of cruelty to her.

(3) *Unsoundness of Mind*

(5) That the said respondent is incurably of unsound mind and has been continuously under care and treatment at since the day of , 19 .

*(The period shewn must be of at least five years immediately preceding the presentation of the petition).*

(4) *Habitual Drunkenness*

(5) That the said respondent is, and has been since (*a period of not less than three years since the celebration of the marriage and immediately preceding the presentation of the petition must be shewn*), an habitual drunkard, and that by reason thereof, co-habitation of your petitioner with the respondent is a grave hardship;

That on the day of , 19 , and at other times during the years 19 and

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19 , the said respondent, while intoxicated, (*give as precise particulars as possible of acts evidentiary of the grave hardship of cohabitation*).

**FORM 4****PETITION FOR JUDICIAL SEPARATION****(Rule 5 (1) )**

(The form of petition is, in general, similar to a petition for divorce. The following is an example of one of the alternative grounds of petition.)

(5) That on the                      day of                      .  
19 , your petitioner was granted a decree of restitution of conjugal rights by the                      ,  
against the said respondent;

That on the                      day of                      ,  
19 , the said decree was served personally upon the said respondent, and that the respondent has not complied with the decree.

*Paragraph (1) of the Prayer will ask—*

(1) That your petitioner may be judicially separated from the respondent.

*(Other paragraphs of the Prayer may ask for the custody of children and for an interim order for payment for or towards the petitioner's support. The final paragraph should ask for "such further and other relief as may be just.")*

**FORM 5****DIVORCE AND SEPARATION —  
ATTEMPT AT RECONCILIATION****(Rule 5 (1) (m) )**

**STATEMENT REGARDING RECONCILIATION, TO  
BE INCLUDED IN PETITION FOR DIVORCE OR  
SEPARATION  
(ARTICLE 9 OF THE LAW)**

That an attempt (*or, attempts*) as follows has (*or, have*) been made, to reconcile your petitioner and the said

respondent, and that the said attempts failed for the following reasons:

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OR

That, for the following reasons, it is impracticable or undesirable to attempt to reconcile your petitioner and the said respondent, that is to say, because (*give reasons*);

OR

That your petitioner is willing to go before a Mediator assigned by the Court to endeavour to reconcile your petitioner and the said respondent.

## FORM 6

PETITION FOR RESTITUTION OF  
CONJUGAL RIGHTS

(Rule 5 (1) )

(The form of petition is, at the outset, similar to a petition for divorce. (But see also Article 30 of the Law). After paragraph (4) in the recital, however, it may proceed as follows:—)

(5) That on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, the said respondent withdrew from cohabitation with your petitioner, and has refused, and still refuses, to render her conjugal rights;

(6) That your petitioner *bona fide* desires a resumption of cohabitation and restitution of her conjugal rights and is sincerely willing to render conjugal rights to the said respondent.

(7) (*Where applicable*) That on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, your petitioner sent by registered post, and addressed to the said respondent at \_\_\_\_\_, being his then last known address, a letter in the following terms:—

(*Set out terms of letter, followed by terms of any reply thereto, and if there has been no reply, state that*

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*fact, and if it be so, that the petitioner's letter has not been returned, or other the facts of the case).*

(8) (*Where payment, pending suit, for or towards the petitioner's support, etc. is claimed*) That, to the best of your petitioner's knowledge and belief, the said respondent derives from his (business, or profession, or position, as a: *state occupation*) an annual income of £                   , and also owns (etc.).

Your petitioner therefore prays that the Court will be pleased to decree:

- (1) That the said respondent do return to your petitioner and render to her conjugal rights;
- (2) (*Where applicable*) That your petitioner may have the custody of her said children;
- (3) That the said respondent be condemned in the costs of these proceedings;
- (4) (*Where applicable*) That the said respondent be ordered to make payment, pending suit, for or towards your petitioner's support, (*etc. as applicable*), as the Court deems just;
- (5) That your petitioner may have such further and other relief as may be just.

#### FORM 7

#### WIFE'S PETITION FOR NULLITY OF MARRIAGE

(Rule 5 (1) )

#### GROUND OF PETITION: IMPOTENCY

(*N.B.*— In framing petitions for Nullity of Marriage, the provisions of Article 33 (entitled "Conditions of Exercise of Jurisdiction with regard to Suits for Nullity of Marriage") of the Law require to be observed.)

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

Between A.B. (otherwise A.S.) Petitioner  
and

C.B.

Respondent.



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or position, as a: *state occupation*) an annual income of £ , and also owns real and personal property to the value of £ .

Your petitioner therefore prays that the Court will be pleased to decree—

- (1) That the marriage in fact celebrated between your petitioner and the said respondent be pronounced and declared to have been and to be absolutely null and void, and your petitioner to have been and to be free from all bond of marriage with the said respondent;
- (2) That the said respondent be condemned in the costs of these proceedings;
- (3) That the said respondent be ordered to make payment, pending suit, for or towards your petitioner's support as the Court deems just;
- (4) That your petitioner may have such further and other relief as may be just.

(Signed) A.B.

(Petitioner's Signature.)

### FORM 8

#### WIFE'S PETITION FOR PRESUMPTION OF DEATH AND DISSOLUTION OF MARRIAGE THEREON

(Rule 5 (1) )

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

*Between* A.B. Petitioner  
and

C.B. Respondent, whose death the  
Court is prayed to presume.

TO THE COURT FOR MATRIMONIAL CAUSES:

This                      day of                      , 19 .  
THE PETITION OF A.B. (*in Poor Persons' cases add,*  
"Suing as a Poor Person") sheweth:—

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(1) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, your petitioner, A.B., then A.S., spinster (*or, give other status*), was lawfully married to C.B., (hereinafter called the respondent) at (*state place of marriage, copying details exactly from marriage certificate*);

(2) That, after the said marriage, your petitioner and the said respondent lived and cohabited at (*give at least one specific address: if there has been no cohabitation within the jurisdiction, state this*) and there is issue of that marriage now living (*if there is living issue, give names and dates of birth or names and ages: alternatively, state that there is no living issue*);

(3) That your petitioner resides at (*give specific address*); that, when cohabitation continued, and, so far as is known to your petitioner, after it ceased, the respondent was a (*state occupation or status*); that the respondent's address last known to your petitioner was \_\_\_\_\_; and that the respondent was domiciled in the Bailiwick of Guernsey immediately before his departure or disappearance therefrom;

(4) That there have been no previous proceedings in any Court with reference to the said marriage (*If there have been such proceedings give nature and date, the result of same, and the purport of any decree or order, and state whether there has been cohabitation since the making thereof, and that, save and except those stated, there have been no proceedings.*);

(5) That your petitioner and the said respondent last cohabited at \_\_\_\_\_ until the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that thereafter (*state the circumstances in which cohabitation ended and in which the respondent disappeared*);

(6) That since \_\_\_\_\_ the said respondent has been continually absent from your petitioner; that your petitioner has received no letter or other news from \_\_\_\_\_ or of the respondent since \_\_\_\_\_;

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that, so far as is known to your petitioner, the respondent was last seen alive at \_\_\_\_\_ on \_\_\_\_\_ and that your petitioner has no reason to believe that the respondent has been living since \_\_\_\_\_ but that, on the contrary, your petitioner believes that reasonable grounds exist for supposing that the respondent is dead.

Your petitioner therefore prays that the Court will be pleased to decree —

- (1) That the death of the said respondent be presumed and that the marriage of your petitioner with the respondent be dissolved;
- (2) (*Where applicable*) That your petitioner may have the custody of her said children;
- (3) That your petitioner may have such further and other relief as may be just.

(Signed) A.B.

(Petitioner's Signature.)

### FORM 9

### ANSWER

(Rule 5 (1) )

### *ANSWER BY A WIFE RESPONDENT TO A PETITION FOR DIVORCE ON THE GROUND OF ADULTERY*

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

*Between* A.B. Petitioner  
and  
C.B. Respondent  
and  
E.F. Co-Respondent.

TO THE COURT FOR MATRIMONIAL CAUSES:

This \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .  
The respondent, C.B., by her Advocate (*or, in person*),  
says, in answer to the petition filed in this Cause —

(1) That she is not guilty of adultery as alleged in the said petition; 1945

(2) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and on other days between that day and \_\_\_\_\_, 19\_\_\_\_, the said A.B., the petitioner, at \_\_\_\_\_, committed adultery with G.H.

*(In like manner the respondent is to state, connivance, condonation, or other matter relied on as a ground for dismissing the petition.)*

### *Connivance*

(2) That if the respondent has committed adultery, which she denies, the petitioner has connived at such adultery.

### *Unreasonable delay*

(2) That the petitioner, with full knowledge of all the alleged facts on which he now relies, has been guilty of unreasonable delay in not presenting his petition for upwards of \_\_\_\_\_ years.

## FORM 10

### APPLICATION FOR EXCUSAL OF CITATION OF CO-RESPONDENT

(Rule 6)

### APPLICATION BY A HUSBAND PETITIONER

*(Heading in the Cause)*

In virtue of the provisions of Article 10 (entitled "Joinder of Co-Respondent" etc.) of the Matrimonial Causes Law (Guernsey), 1939, your petitioner in this Cause asks that, for the undermentioned reason (*or, reasons*) the Court will be pleased to order that your petitioner be excused from citing, as a co-respondent in the said cause, E.F.; with whom your petitioner, in his

1915 petition, alleges that the said respondent has committed  
 ..... adultery, that is to say, by reason of the fact that the said  
 E.F. is dead (*or, facts that etc.*)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ ,

19 \_\_\_\_\_ , at

(Signed) \_\_\_\_\_ , the petitioner.

OR

(Signed) \_\_\_\_\_ , Advocate for  
 the petitioner.

### FORM 11

#### NOTICE TO ENTER APPEARANCE TO BE ENDORSED ON A PETITION OR ANSWER

(Rule 8 (1) )

IN THE ROYAL COURT OF GUERNSEY  
 MATRIMONIAL CAUSES DIVISION

TO \_\_\_\_\_ , of \_\_\_\_\_  
 TAKE NOTICE that you are required, within fourteen days  
 (*or as the case may be*) after service hereof upon you,  
 to enter an appearance in this suit, either in person or by  
 your advocate, at the Greffe, and thereafter to make  
 answer to this petition (*or, make reply to this answer,  
 as the case may be, etc.*) and that, in default of your  
 so doing, the Court may proceed to hear the petition  
 (*or, answer, etc.*) and pronounce judgment, your absence  
 notwithstanding.

If you enter an appearance, you must at the same  
 time furnish to His Majesty's Greffier and to opposite  
 parties, an address within the Bailiwick of Guernsey for  
 service.

The address for service furnished by you, or on your  
 behalf, will, subject to the provisions of section (1) of  
 Rule 10, be the address for service of subsequent process  
 relating to the suit and matters arising thereout; and, if  
 you do not furnish such an address, the address for  
 service will be the office of His Majesty's Sergeant in  
 Guernsey.

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*(If the petition includes a claim for an interim order for payments, pending suit, to be made by the husband, the contents of Form 12, so far as appropriate, are to be endorsed after this Notice.)*

The petition (or answer) is filed and this notice is issued by (name of party or advocate(s)), of .

Dated this                      day of                      , 19   .

(Signed).....

His Majesty's Sergeant.

*Note.*—Every petition under these Rules, and every notice thereunder where the reference herein mentioned is material, shall include a notification to the party upon whom such petition or notice is served, referring to the Form for entering an appearance required by these Rules and stating where copies of such Forms are obtainable and the prescribed fee for entering an appearance.

**FORM 12**

**ADDITIONAL NOTICES TO BE INCLUDED IN A NOTICE TO ENTER APPEARANCE (FORM 11), WHERE THE PETITION CONTAINS A CLAIM FOR INTERIM PAYMENTS, PENDING SUIT**

**(Rule 8 (1) )**

AND FURTHER TAKE NOTICE that should you not desire to be heard on this petition in regard to any relief claimed other than the claim for interim payments, pending suit, you are at liberty, within fourteen days (*or as the case may be*) after service hereof upon you, to enter an appearance to the said petition, limited to that claim; and that, in default of your so doing, the Court may proceed to hear and determine such claim and may order such payments, your absence notwithstanding.

AND FURTHER TAKE NOTICE that in the event of your entering an appearance to the said petition, either generally, or limited to the claim for payments, pending suit, as aforesaid, you are required within fourteen days

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(*or as the case may be*) thereafter to file a sworn declaration in pursuance of Rule 34 of the Matrimonial Causes Rules, 1940, giving full particulars of your property and income.

### FORM 13

#### NOTICE TO ENTER APPEARANCE, TO BE CONTAINED IN A NOTICE OF AN APPLICATION FOR ANCILLARY RELIEF, WHERE APPEARANCE HAS NOT BEEN ENTERED TO THE PETITION

(Rule 8 (2) )

AND FURTHER TAKE NOTICE that should you, the said \_\_\_\_\_, desire to be heard on the said application, you are at liberty, within fourteen days (*or as the case may be*) after service hereof upon you, to enter an appearance to the said petition limited to the subject-matter of the said application, either in person or by your advocate(s), in this Court, and that, in default of your so doing, the Court may proceed to hear the said application and make such order thereon as it may think fit, your absence notwithstanding. If you enter an appearance, you must also furnish to His Majesty's Greffier, and to opposite parties, an address within the Bailiwick of Guernsey, for service.

### FORM 14

#### NOTICE TO FURNISH EVIDENCE, TO BE CONTAINED IN A NOTICE OF AN APPLICATION FOR CONTRIBUTIONS FOR SUPPORT, PERIODIC PAYMENTS, MAINTENANCE OR EDUCATION OF CHILDREN, OR THE GIVING OF SECURITY FOR ANY OF THESE PURPOSES

(Rule 8 (3) )

AND FURTHER TAKE NOTICE that unless, at the time of the service hereof upon you, the applicant or the applicant's advocate(s) give(s) notice to you dispensing with this requirement, you are required within fourteen days (*or as the case may be*) after (such service, *if contents of Form 13 are included*), to file with His Majesty's Greffier a sworn declaration in pursuance of

Rule 34 of the Matrimonial Causes Rules, 1940, giving full particulars of your property and income, and that in default of your so doing the Court may, in virtue of the provisions of Article 68 (entitled "Power of Court etc.") of the Matrimonial Causes Law (Guernsey), 1939, make such order against you as it deems fit.

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**FORM 15****REQUEST FOR SERVICE ABROAD**

(Rule 11 (2) (a) )

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

*Between* A.B. Petitioner  
and  
C.B. Respondent  
and  
E.F. Co-Respondent

TO THE COURT FOR MATRIMONIAL CAUSES:·

I hereby request that a notice of a petition (*or, as the case may be*) in this Cause be transmitted through the proper channel to (*name of country*) for service (*or, substituted service*) on the co-respondent at \_\_\_\_\_, or elsewhere in (*name of country*).

And I hereby personally undertake to be responsible for all expenses incurred by His Majesty's Principal Secretary of State for Foreign Affairs in respect of the service hereby requested, and I undertake that, on receiving due notification of the amount of such expenses, I will pay the same to the Chief Clerk, the Foreign Office or as the Court directs, and that I will produce the receipt for such payment to His Majesty's Greffier, if required so to do.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_, 19 .

(Signed).....  
Advocate(s) for the petitioner.

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## FORM 16

**REQUEST TO LIEUTENANT-GOVERNOR FOR TRANSMISSION OF NOTICE OF PROCEDURAL DOCUMENT TO FOREIGN GOVERNMENT**

(Rule 11 (2) (b) )

The Bailiff of Guernsey presents his compliments to His Excellency the Lieutenant-Governor, and begs to forward herewith a notice of a petition in a Matrimonial Cause between \_\_\_\_\_ and \_\_\_\_\_, issued, \_\_\_\_\_ and \_\_\_\_\_, pursuant to order, out of the Royal Court of Guernsey. for transmission, through His Majesty's Principal Secretary of State for Foreign Affairs, to the Ministry of Foreign Affairs in (*name of country*), with the request that the same may be served personally upon \_\_\_\_\_, against whom proceedings have been taken as aforesaid in the Royal Court of Guernsey, and with the further request that evidence of the service of the same upon the said \_\_\_\_\_ may be officially certified to the Royal Court of Guernsey, or declared upon oath, or otherwise, in such manner as is consistent with the usage or practice of the Courts of (*name of country*), in proving service of legal process.

The Bailiff begs further to request that if efforts to effect personal service of the said notice of petition prove ineffectual, the Government or Court of the said country may certify accordingly to the Royal Court of Guernsey.

Dated at the Royal Court House, Guernsey, this

day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed).....

Bailiff.

FORM 17

**ORDER GIVING LEAVE TO A PETITIONER TO  
BESPEAK A REQUEST FOR SUBSTITUTED SERVICE  
OF NOTICE OF PETITION IN A FOREIGN COUNTRY**

(Rule 11 (2) (d) )

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

*Between* A.B. Petitioner  
and  
C.B. Respondent  
and  
E.F. Co-Respondent

THE COURT, upon reading the (*certificate or declaration provided for in sub-paragraph (d) of paragraph (2) of Rule 11 (entitled "Service out of the Jurisdiction") of the Matrimonial Causes Rules, 1940*),

ORDERS that the petitioner be at liberty to bespeak a request for substituted service of notice of the petition in this Cause on the co-respondent at \_\_\_\_\_ or elsewhere in (*name of country*), and that the said co-respondent have \_\_\_\_\_ days after such substituted service in which to enter an appearance.

Dated at the Royal Court House, Guernsey, this  
day of \_\_\_\_\_, 19 \_\_\_\_ .  
(Signed).....

Seal of the \_\_\_\_\_ His Majesty's Greffier.  
Royal Court

FORM 18

**REQUEST TO LIEUTENANT-GOVERNOR IN CASE OF  
SUBSTITUTED SERVICE, IN A FOREIGN COUNTRY,  
OF NOTICE OF PETITION**

(Rule 11 (2) (d) )

The Bailiff of Guernsey presents his compliments to His Excellency the Lieutenant-Governor, and begs to forward herewith a Notice of a Petition in a Matrimonial Cause between \_\_\_\_\_ and \_\_\_\_\_

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in which the petitioner has obtained an Order of the Royal Court of Guernsey (which order is also enclosed), giving leave to bespeak a request that the said notice of petition may be served by substituted service on the co-respondent

at \_\_\_\_\_ in (*name of country*).

The Bailiff requests that the said Notice of Petition and Order may be forwarded, through His Majesty's Principal Secretary of State for Foreign Affairs, to the proper authority in (*name of country*), with the request that the same may be transmitted by post addressed to the co-respondent at

(*the last known place of abode or place of business of the said co-respondent*), or there delivered in such manner as may be consistent with the usage or practice of the Courts of (*name of country*) for service of legal process where personal service cannot be effected; and with the further request that the same may be officially certified to the Royal Court of Guernsey or declared upon oath, or otherwise in such manner as is consistent with the practice of the Courts of (*name of country*) in proving service of legal process.

Dated at the Royal Court House, Guernsey, this \_\_\_\_\_ day of \_\_\_\_\_, 19

(Signed).....

Bailiff.

**FORM 19**

**CERTIFICATE OF PERSONAL SERVICE**

**(Rule 12 (3) (a) (i) )**

**(Heading in the Cause)**

An examined copy of the petition (*or as the case may be*), in the above Cause, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, was duly served by the undersigned on (*give name of person served*) at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19

(Signed).....

His Majesty's Sergeant.



1945 \_\_\_\_\_ appearing) (state whether appearance is general or limited to any particular relief).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

(Signed)

of \_\_\_\_\_, whose address for service  
is \_\_\_\_\_, in the Bailiwick of Guernsey.

**FORM 22**

**NOTICE OF APPLICATION**

**(Rule 15)**

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

IN THE MATTER OF A PETITION BY

for (*here set out particulars of the matrimonial cause in which the application is made*).

TO \_\_\_\_\_ of

TAKE NOTICE that the petitioner (*respondent*) intends to apply to the Court on the \_\_\_\_\_ day of 19 \_\_\_\_\_, for an order that (*here set out a detailed statement of the ancillary relief claimed or other the nature of the proceedings*).

(*Insert here in appropriate cases the contents of Form 13 or Form 14*).

THIS NOTICE is issued by (*Name of applicant or his advocate*) of

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

**FORM 23**

**NOTICE TO A PERSON ENTITLED TO INTERVENE**

**(Rule 17 (4) and 19 (3) )**

IN THE ROYAL COURT OF GUERNSEY  
MATRIMONIAL CAUSES DIVISION

(*Heading in the Cause*)

TO \_\_\_\_\_ of

TAKE NOTICE that you are entitled to apply to the Court for leave to intervene in this cause, should you think fit



1945

NOW WE, by these presents, DECLARE

THAT WE HAVE RESCINDED the said Judicial Separation by having resumed co-habitation.

Signed by the above-named Husband and Wife, in the presence of His Majesty's Greffier, this day of , 19 .

Signature of Husband.....

Signature of Wife.....

This declaration was signed by the above-named Husband and Wife in my presence, both being present at the same time.

Dated this day of , 19 .

(Signed).....  
His Majesty's Greffier.

**FORM 25**

**DECLARATION OF RESCISSION**

**(Rule 62)**

*BAILIWICK OF GUERNSEY*

*DECLARATION OF RESCISSION OF JUDICIAL SEPARATION MADE BY THE ATTORNEYS OF THE HUSBAND AND WIFE*

WHEREAS, on the day of 19 . the Royal Court, sitting as an Ordinary Court (*or, as the case may be*, the Court for Matrimonial Causes), pronounced, in the exercise of its jurisdiction under sub-paragraph (a) of paragraph (4) of Article 2 of the Matrimonial Causes Law (Guernsey), 1939, a judicial separation between , the Husband and , his Wife, to which separation they then and there consented:

NOW WE, the undersigned, being the attorneys of the said Husband and Wife, hereby DECLARE 1945

That the above-named Husband and Wife HAVE RESCINDED the said Judicial Separation by having resumed co-habitation.

Signed by \_\_\_\_\_,  
 Attorney of the said Husband  
 and \_\_\_\_\_, Attorney of the said  
 Wife, in the presence of His Majesty's Greffier, this  
 day of \_\_\_\_\_, 19 .

Signature of Husband's Attorney.....

Signature of Wife's Attorney.....

This declaration was signed by the above-named Attorneys in my presence, both being present at the same time.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

(Signed).....  
 His Majesty's Greffier.

*Le 24 novembre 1945, par devant Victor Gosselin Carey,  
 écuyer, Baillif; présents, etc.:*

**Ordonnance dite "The National Registration  
 (Bailiwick of Guernsey) Regulations, 1945,  
 Ordinance."**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the National Registration (Guernsey) Law, 1945, having heard the conclusions of His Majesty's Procureur, hereby orders that the following regulations shall have effect throughout the Bailiwick of the Island of Guernsey: —

## PART I.

## INTERPRETATION.

1.— In these regulations, unless the context otherwise requires —

- “ The appointed day ” means the day which is ended by the appointed time;
- “ the appointed time ” means the time appointed as such by regulation 2;
- “ Bailiwick ” means the Bailiwick of the Island of Guernsey;
- “ the Board ” has the same meaning as in the Law;
- “ child ” means a person who has not attained the age of sixteen years;
- “ enumeration district ” and “ enumeration area ” mean respectively a district and an area constituted under regulation 4;
- “ identity card ” has the same meaning as in the Law;
- “ the Law ” means the National Registration (Guernsey) Law, 1945;
- “ notice of removal ” has the meaning assigned to it by regulation 14;
- “ prescribed person ” means a person who is required to make a registration return under regulation 7;
- “ registered address ” in relation to a person registered under the Law means the address stated on the registration return made in respect of him, or, if notice of removal under regulation 14 has been given in respect of him, the address stated in the last such notice;
- “ registrar ” means registrar of births, marriages and deaths;
- “ registered person ” means a person registered under the Law;
- “ registration return ” means a return made under regulation 7, regulation 16 or regulation 17;

“temporary identity card” means an identity card valid for a limited period only;

“the United Kingdom” includes the Isle of Man.

2.—The appointed time for the purposes of the Law shall be midnight on the sixteenth day of December, nineteen hundred and forty-five.

3.—The National Register required to be established under the Law shall consist of a central index and maintenance register established and maintained in accordance with these regulations.

## PART II.

### INITIATION OF THE REGISTER.

#### *Division of the Bailiwick into Districts.*

4.—For the purpose of the collection, reception and recording of the information required by the Law and by this part of these regulations in relation to persons in the Bailiwick at the appointed time, the Island of Alderney, the Island of Sark and each civil parish in the Island of Guernsey shall be an enumeration area and shall consist of such enumeration districts as the Board may direct.

#### *Appointment of Central National Registration Officer.*

5.—The Board shall appoint a person, to be called the central national registration officer, to perform the duties assigned to him by or under these regulations.

#### *Supervising Officers and Enumerators.*

6.—The supervising officer for an enumeration area shall be —

(a) in Guernsey, the Senior Constable of the parish being that area;

(b) in Alderney, the central national registration officer; and

(c) in Sark, the Seneschal;

and an enumerator or enumerators for each enumeration district shall be appointed by the central national registration officer.

*Making of Returns.*

7.—On the appointed day returns stating the particulars specified in Part I of the First Schedule to these regulations shall be made with respect to the several classes of persons in the Bailiwick mentioned in the first column of the Second Schedule to these regulations by the persons specified opposite each such class in the second column of that Schedule and each such return shall be signed by the person by whom it is made;

Provided that no such return shall be made in respect of any person who at the appointed time is serving in and not on leave from His Majesty's naval, military or air forces.

8.—A prescribed person who has not before the appointed day been supplied with a sufficient number of forms for the purpose of the returns required to be made by him under regulation 7 shall apply for and obtain the requisite forms at the office of the supervising officer for the enumeration area in which the returns are to be made.

9.—It shall be the duty of —

(a) an enumerator;

(b) any person delivering or supplying a form of return for the purpose of regulation 7;

if so requested by any prescribed person or by any person acting on his behalf to give such explanations as to the form of return or the procedure to be followed in making the return as are reasonably necessary to enable the prescribed person to make a proper return.

10.—Every person with respect to whom it is the duty of a prescribed person to make a return under regulation 7 and any person having knowledge of the particulars required to be included in such return shall give to the prescribed person such information as he may reasonably require for the purpose of enabling him to make the return.

*Collection and Delivery of Returns.*1945

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11.—(1) Every enumerator shall, in the course of the day following the appointed day or as soon thereafter as may be, collect or cause to be collected all forms of return for the distribution of which he was responsible.

(2) A prescribed person or person acting on his behalf, when requested so to do by an enumerator or other duly authorised person, shall surrender any return made by that prescribed person under regulation 7 and a prescribed person to whom or to whose agent no such request shall have been made within five days after the appointed day shall deliver or cause to be delivered any such return at the office of the central national registration officer.

(3) Any person collecting or receiving a return in accordance with this regulation shall examine it and satisfy himself that the entries thereon are properly and sufficiently made and shall make all necessary inquiries for that purpose and make such corrections in the return as appear to him to be requisite.

(4) Every person shall give to the person collecting or receiving a return in accordance with this regulation such information as that person may reasonably require for the performance of his duties under the last preceding paragraph.

12.—Every enumerator or other person collecting or receiving returns made under regulation 7 shall deliver such returns to the supervising officer for the enumeration area in which his district is situate for transmission to the central national registration officer.

*Establishment of Central Index and Maintenance Register.*

13.—The particulars contained in the returns made in each part of the Bailiwick under this Part of these Regulations and the changes in the registered population of the Bailiwick shall be recorded in an index and register.

- 1915 to be called the central index and maintenance register, which shall be in the charge of the central national registration officer.

### PART III.

#### MAINTENANCE OF THE REGISTER.

##### *Notification of Change of Circumstances.*

14.—(1) A registered person shall, upon changing his place of residence, give notice of the change (in these regulations referred to as a “notice of removal”);

Provided that notice of removal shall not be required where a person

- (a) is received in a civil prison, lock-up or other place of detention; or
- (b) is received in a mental hospital, being an institution in respect of which there is in force a licence under the Food (Licensing of Establishments) (Guernsey) Order, 1945; or
- (c) is received in a hospital, sanatorium, nursing home or convalescent home in respect of which there is in force a licence under the Food (Licensing of Establishments) (Guernsey) Order, 1945; or
- (d) leaves his registered address (in circumstances to which none of the foregoing provisions of this proviso applies) for a temporary absence within the Bailiwick from that address, being his usual place of residence to which he intends and expects to return, if and so long as —
  - (i) no change of retailer for food rationing purposes is involved, and
  - (ii) arrangements made by or in respect of him secure that postal communications addressed to him at the registered address reach him without undue delay and that his actual address for the time being is ascertainable upon enquiry at

the registered address by the central national registration officer or by any other person authorised in that behalf by the Board; or

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- (e) leaves the Bailiwick intending and expecting to return to the Bailiwick within a period of eight weeks; or
- (f) changes his place of residence from a place outside the Bailiwick to another place outside the Bailiwick; or
- (g) changes his place of residence from a place within the Bailiwick to a place within the United Kingdom or the Island of Jersey.

(2) A notice of removal to a place within the Bailiwick shall be given by a person by attending, within seven days after the removal, at the office of the central national registration officer and there producing the identity card of the person to whom the notice relates and giving such particulars relating to his residence as may be required on a form to be provided by the Board;

Provided that where a person in respect of whom, by virtue of the provisions of proviso (d) to paragraph (1) of this regulation, notice of removal is not required ceases to be such a person, the notice shall be given within seven days after the date on which he ceased to be such a person.

(3) Notwithstanding anything in the preceding paragraph, where a removal does not involve a change of retailer for food rationing purposes notice may be given to the senior constable of the parish on a form provided by the Board for the purpose, for transmission to the central national registration officer.

(4) A notice of removal to a place outside the Bailiwick shall be given by a person, by giving on his embarkation to an immigration officer for transmission to the central national registration officer such information with respect to his removal as the officer shall require.

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(5) Where a notice of removal to a place in the Bailiwick is given, the central national registration officer shall enter on the identity card of the person to whom the notice relates and authenticate, in manner directed by the Board, the new address.

15.—(1) A registered person who undergoes a change of name by virtue of marriage to another person shall give notice of the change.

(2) A notice for the purpose of this regulation shall be given by a person by attending within twenty-eight days after the marriage at the office of the central national registration officer and there producing the identity card and the marriage certificate of the person.

(3) The central national registration officer, upon receiving a notice under this regulation, shall issue to the person giving the notice a fresh identity card in the new name and shall record the change of name in the maintenance register.

*New Registration.*

16.—(1) In respect of every person in the Bailiwick who —

(a) being a person who is required to be registered, is not a registered person; or

(b) enters the Bailiwick after the appointed time not being a registered person;

a return stating the relevant particulars specified in Part I of the First Schedule to these Regulations including a statement of the reason why the person concerned is not already registered, shall be made and signed by that person:

Provided that nothing in this regulation shall require any return to be made in respect of a person entering the Bailiwick for a stay of less than eight weeks unless either —

(a) being an alien, he is required by the immigration officer to register forthwith with the police; or

(b) he remains in the Bailiwick throughout the period of eight weeks from the date of his arrival;

and in the last mentioned case he shall be treated for the purpose of this regulation as having arrived in the Bailiwick at the end of that period.

(2) The return shall be made upon a form provided for the purpose by the Board and shall be completed as soon as may be at the office of the central national registration officer.

17.—(1) A registrar on registering the birth of any child born in the Bailiwick after the appointed time shall complete and sign a return in respect of such child stating the particulars specified in Part II of the First Schedule to these regulations.

(2) A return made under this regulation shall be delivered by the registrar directly or otherwise to the person who for the purposes of these regulations is deemed to be in charge of the child to whom the return relates and such person shall certify thereon that he is such person and, as soon as may be produce the return to the central national registration officer.

#### *Persons ceasing to be Registered.*

18.—A registrar on registering the death of a registered person shall give notice of the death to the central national registration officer.

#### *Operation of Central Index and Maintenance Register.*

19.—The central national registration officer upon receiving a return under regulation 16 or regulation 17 shall register the person to whom the return relates in the central index.

20.—The central national registration officer upon receiving a notice of removal shall record the removal in the maintenance register;

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Provided that where the person to whom the notice relates was first registered in the United Kingdom or the Island of Jersey, he shall notify the removal to the central national registration officer for the area in which that person was first registered.

21.—The central national registration officer upon receiving notice that a registered person has become a person who is not required to be registered shall record in the central index that the person is no longer required to be registered.

#### *PART IV.*

#### IDENTITY CARDS.

22.—Every enumerator or other duly authorised person on receiving a registration return filled up and signed, and, where necessary, completed and corrected, in accordance with these regulations, other than a return made under sub-paragraph (b) of paragraph (1) of regulation 16 in respect of a person who has at any time been a registered person, shall deliver directly or otherwise to the person presenting such return an identity card in respect of each person properly included in such return.

23.—An identity card issued in respect of any person under these regulations shall be in the form which would, at the time of issue, be issued in respect of such person in the United Kingdom, under the National Registration Act, 1939, of the United Kingdom, or in such other form substantially to the like effect as the Board may determine.

24.—(1) Temporary identity cards may be issued in respect of the following classes of persons —

- (a) persons who are usually resident outside the bailiwick;
- (b) children.

(2) A temporary identity card may be issued in any of the following circumstances.

- (a) upon delivery to the central national registration officer of a registration return;

(b) upon the production of an identity card at the office of the central national registration officer for any of the purposes of the Law and these regulations other than the purposes of regulation 34 and of paragraph (1) of regulation 35 of these regulations.

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(3) The period of validity of a temporary identity card may be limited either by reference to a fixed date or by reference to the happening of a specified event.

25.—It shall be the duty of every prescribed person to ensure that an identity card issued in respect of any person included in a registration return made by him is delivered to the person to whom the card relates, or, if that person is for the purpose of these regulations deemed to be in charge of some other person, to that other person.

26.—(1) Where a person becomes a person who, for the purposes of these regulations, is deemed to be in charge of some other person he shall surrender his identity card to such other person.

(2) Where a person ceases to be such a person as aforesaid or passes, within the meaning of these regulations, from the charge of one person to the charge of some other person, the person having the custody of his identity card shall deliver it to him or to the person into whose charge he so passes, as the case may be.

27.—The person to whom an identity card relates, or, in the case of a person of whom for the purposes of these regulations some other person is deemed to be in charge, that other person shall, subject to the provisions of these regulations, be responsible, on receipt of such card, for the custody thereof.

28.—(1) A registered person who has attained the age of sixteen years shall forthwith on receipt of his identity card affix his signature to the identity card in the space provided for the purpose;

Provided that in the case of such a registered person of whom some other person is for the purposes

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of these regulations deemed to be in charge it shall be the duty of that other person to secure that the card is forthwith signed by the person to whom it relates.

(2) A person who is for the purposes of these regulations deemed to be in charge of a child shall forthwith affix his signature to the identity card relating to such child in the space provided for the purpose.

*Production of cards.*

29.—(1) The following persons are authorised in pursuance of paragraph (4) of Article 6 of the Law to require the production of an identity card —

- (a) the central national registration officer;
- (b) any member of His Majesty's naval, military or air forces in uniform on duty;

Provided that nothing in this regulation shall authorise the central national registration officer to require the production of an identity card elsewhere than at his office or authorise a member of His Majesty's naval, military or air forces to require a person to produce his identity card unless he has reasonable grounds for suspecting that the person is a deserter from His Majesty's forces or is absent therefrom without leave, or is an escaped prisoner of war.

(3) The period within which an identity card is to be produced for the purpose of the proviso to paragraph (4) of Article 6 of the Law shall be two clear days.

(3) The place at which an identity card is to be produced for the purposes of the said proviso shall be —

- (a) in a case where a person is required to produce the card by the central national registration officer, the office of that officer;
- (b) in any other case, a police station or any other place to be specified at the time when the requirement is made;

and the person to whom the identity card is to be produced shall be, in a case mentioned in sub-paragraph

(a) of this paragraph, the central national registration officer, and, in any other case, a responsible officer at the police station or other specified place.

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*Surrender of cards.*

30.—(1) A registered person, not being a child, shall —

- (a) surrender his identity card to the central national registration officer, if so required, upon the production of the card to him for any purpose; and
- (b) if he is the holder of a temporary identity card, surrender the card to the central national registration officer upon, or within seven days after, the expiration of the period of validity of the card.

(2) A person who has for the time being the custody of an identity card relating to a child shall surrender the card to the central national registration officer, if so required, upon production of the card to the officer for any of the purposes of the Law and these regulations.

(3) A person of the age of sixteen years, not being a person of whom a person specified in paragraph 1 or paragraph 2 of the first column of the Third Schedule to these regulations is for the purposes of these regulations deemed to be in charge, shall upon or within seven days after attaining that age surrender his identity card to the central national registration officer.

(4) Where the person in respect of whom an identity card is issued under these regulations was immediately before the appointed time, registered under the National Registration Act, 1939, of the United Kingdom, he shall forthwith on the issue of such card surrender to the central national registration officer or other authorised person the identity card issued in respect of him under that Act.

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(5) Subject to the provisions of these regulations, where an identity card is surrendered to the central national registration officer, he shall, unless the person to whom the card relates has died or is outside the Bailiwick —

- (a) if the surrendered card is a temporary identity card, either endorse the card as valid for a further period and reissue it, or issue a fresh identity card;
- (b) if the surrendered card is not a temporary identity card, either reissue the card or issue a fresh identity card.

31.— Upon the death of a registered person the person having possession of his identity card shall deliver it —

- (a) before the registration of the death to the person attending upon the registrar for the purpose of such registration; or
- (b) within seven days after the date of the death to the registrar by whom the death is registered.

32.— Any person attending upon a registrar for the purpose of the registration of the death of a registered person shall —

- (a) if he has received that person's identity card deliver it to the registrar; or
- (b) if he has not received that person's identity card furnish, on request by the registrar, any information within his knowledge as to the name and address of the person having possession of the card.

#### *Lost Cards, etc.*

33.—(1) Where an identity card relating to a person required to be registered is lost, destroyed or defaced, that person or, if he is a person of whom for the purposes of these regulations some other person is deemed to be in charge, that other person, shall forthwith notify the central national registration officer and, if so requested by that officer, shall fill up a form of application for the

issue of a substitute and pay the fee herein prescribed and, in the case of a defaced card, surrender the card to that officer, whereupon that officer shall take such steps as may be necessary for the issue of a substitute.

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(2) The fee payable under this regulation shall be one shilling, except in the case of a defaced identity card the contents of which are in the opinion of the central national registration officer decipherable, when the fee shall be sixpence.

34.—Any person who finds a lost identity card shall forthwith deliver it to the office of the central national registration officer.

35.—(1) A person who has in his possession or on premises under his control an identity card which does not relate to him or to any person of whom he is for the purposes of these regulations deemed to be in charge or to any person for the time being residing on the premises or the alleged loss or destruction of which has been notified under regulation 33 shall forthwith deliver it to the office of the central national registration officer.

(2) A person who has in his possession more than one identity card relating to the same person, whether himself or a person of whom he is for the purposes of these regulations deemed to be in charge, shall forthwith produce such identity cards at the office of the central national registration officer, and, upon being notified by that officer which of those cards he should retain, shall surrender to him any such other card.

(3) The holder of an identity card containing particulars endorsed thereon by the authority of the central national registration officer or under arrangements approved by the Board additional to the particulars for which provision is made by the form of the identity card shall, if any of the additional particulars have ceased to apply in his case and if he is so instructed by the central national registration officer or other duly authorised person, forthwith surrender the card to that officer who shall issue to him a fresh identity card in lieu thereof.

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(4) A person who has the custody of an identity card containing any particulars which are to his knowledge incorrect shall forthwith surrender the card to the central national registration officer and that officer shall, unless the person to whom the card relates is a person who is not required to be so registered, issue a fresh identity card in lieu thereof.

*Defacement and destruction of cards.*

36.—(1) No person shall make any mark or entry upon, or erase, cancel or alter any entry made upon, or otherwise deface, or destroy an identity card;

Provided that—

- (i) the preceding provisions of this regulation shall not apply to anything done in pursuance of a direction contained in the Law or these regulations or by the authority of the central national registration officer or under arrangements approved by the Board; and
- (ii) anything so done shall not be deemed to be a defacement of an identity card.

(2) No person shall assign or charge, or agree to assign or charge, an identity card, and the sale, transfer or assignment of or any charge on an identity card shall be void and of no effect.

*PART V.*

*GENERAL.*

37.—The Board and the central national registration officer may give to persons employed for the purposes of the Law and these regulations such instructions or directions, whether particular or general, as the Board or that officer may think necessary for the due performance by those persons of their duties and any such instructions or directions shall be complied with by the person to whom they are given.

38.—Where it appears to the Board that a person appointed to an office under these regulations is, for reasons of health or otherwise, unfit to perform the duties of that office, the Board may appoint some fit and proper person in his place to perform such duties.

39.—The central national registration officer and a registrar to whom any information has been given in pursuance of the Law and these regulations may require the person supplying that information to furnish such documentary or other evidence of the truth thereof as it is within the power of that person to furnish.

40.—A person having the custody, whether on his own behalf or on behalf of any other person, of any forms of return or other confidential documents relating to the initiation or maintenance of the register shall keep such forms or other documents in such manner as to prevent any unauthorised person having access thereto.

*Persons having charge of other persons.*

41.—(1) For the purposes of these regulations the persons specified in the first column of the Third Schedule to these regulations shall be deemed to be in charge of the persons specified opposite the reference to those persons in the second column of that Schedule.

(2) Where a person by or in respect of whom anything is, under the Law or these regulations, required to be done is a person of whom for the purposes of these regulations some other person is deemed to be in charge, the thing so required to be done shall be done by that other person instead of by the person of whom he is so deemed to be in charge.

*Persons not required to be registered.*

42.—(1) The Law and these regulations shall apply to the persons mentioned in paragraph 2 of this regulation subject to the following exceptions:—

- (a) Articles 1, 2 and 3 and paragraph (1) of Article 6 of the Law shall not apply to the said persons;

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(b) The following provisions of these regulations shall not apply to the said persons:—

in part I, regulation 3,  
part II, except regulations 7 to 11,  
part III, except regulations 17 and 21.  
in part IV, regulation 23, regulation 29  
so far as it concerns persons who may be  
required to do anything thereunder; para-  
graphs 1 and 3 of regulation 30, regulation  
33, paragraph (3) of regulation 35 and  
regulation 43;

and accordingly the said persons shall not be  
required to be registered.

(2) The persons referred to in paragraph 1 of this regulation are the persons to whom regulation 45 of the National Registration Regulations, 1939, of the United Kingdom applies (except where such persons are, at the appointed time, on demobilisation leave).

(3) The reference in this regulation to regulation 45 of the National Registration Regulations, 1939, of the United Kingdom, shall be construed as a reference to that regulation as amended by any other regulation for the time being in force and to any other regulation or regulations revoking and re-enacting that regulation with or without further amendment.

#### *Application to United Kingdom and Jersey*

43.—(1) In this regulation the expression “the United Kingdom Law” means the National Registration Act, 1939, of the United Kingdom, and the expression “the Jersey Law” means the National Registration (Jersey) Law, 1945.

(2) In their application to persons who are registered under the United Kingdom law or the Jersey law, and are either not usually resident in the Bailiwick or being usually resident in the Bailiwick, are not in the

**Bailiwick at the appointed time, the law and these regulations shall have effect with the following exceptions and modifications:—**

- (a) the following provisions shall not apply to such persons as aforesaid, namely—In the Law, Articles 1, 2 and 3, sub-paragraph (b) of Article 4 and paragraph (1) of Article 6; in these regulations, regulations 3 to 13, 16, 17, 21, 22, paragraph (1) and sub-paragraph (a) of paragraph (2) of regulation 24, and the first and second schedules; so however that regulations 7 to 11 of these regulations shall apply to such a person as aforesaid who is in the Bailiwick at the appointed time; and accordingly the said persons shall not be required to be registered.
- (b) the references to a registered person or to registered persons in sub-paragraph (a) and (c) of Article 4 of the Law shall be construed as references to a person, or to persons, registered under the United Kingdom law or the Jersey law;
- (c) the references to the Register in the said paragraph (a) shall be construed as a reference to the register set up under the United Kingdom law, or, as the case may be, the Jersey law;
- (d) the references to an identity card in Article 6 of the Law (other than such references in sub-paragraphs (a), (b), (d) and (e) of paragraph (2) of the said Article, the second such reference in sub-paragraph (f) of that paragraph, and the references in sub-paragraph (e) thereof to fresh identity cards) shall be construed as including references to a card issued under the United Kingdom law, or as the case may be, the Jersey law;
- (e) in these regulations—
  - (i) references to the Law, these regulations, or

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- any provision thereof, shall be construed as references to the Law, these regulations, or that provision with the exceptions and modifications made by this regulation ;
- (ii) in regulation 1, in the definition of “ registered address,” there shall be substituted for the reference to the Law a reference to the United Kingdom law or the Jersey law, there shall be inserted after the word “ made ” the words “ under that law,” and after the words “ regulation 14 ” there shall be inserted the words “ or under the corresponding provisions of regulations made under the United Kingdom law, or, as the case may be, the Jersey law ” ;
  - (iii) the reference to the registered population in regulation 13 shall be construed as extending to persons registered under the United Kingdom law or the Jersey law ;
  - (iv) the references to a registered person in paragraph (1) of regulation 14 and in regulations 15, 18, 30, 31 and 32 shall be construed as references to a person registered under the United Kingdom law or the Jersey law ;
  - (v) the references to an identity card (other than references to the issue of an identity card) in paragraphs (2) and (5) of regulation 14, in regulation 15, in sub-paragraph (b) of paragraph (2) of regulation 24, and in regulations 26, 27 and 29 to 36 and in the First Schedule shall be construed as including references to a card issued under the United Kingdom law or the Jersey law.

44.—These Regulations may be cited as the National Registration (Bailiwick of Guernsey) Regulations, 1945.

## FIRST SCHEDULE

## PART I.

*Particulars to be stated in Registration Returns made under regulations 7 and 16.*

In all cases—

1. Full name.
2. Full postal address.
3. Sex.
4. Date of birth.
5. In respect of persons aged 16 years or over, whether single, married, widowed or marriage dissolved by divorce.
6. Nationality.

In cases falling within regulation 7—

7. In respect of persons serving in His Majesty's Naval, Military or Air Forces the Branch of Service, Rank and Number if any.
8. In respect of persons serving in the Merchant Navy, the words "Merchant Navy."
9. In respect of persons to whom regulation 43 relates the word "Visitor" and the number of his identity card.

## PART II.

*Particulars to be stated in Registration Returns made under regulation 17*

1. Forenames.
2. Surname of parents or parent.
3. Sex.
4. Date of birth

## SECOND SCHEDULE

*Classes of persons with respect to whom returns are to be made*      *Persons by whom returns are to be made*

1. Persons present at the appointed time in a dwelling, lodgings or rooms, separately occupied by any private household of which they are members, guests (including paying guests or boarders) or employees.
  2. Persons present at the appointed time on the premises of any hotel, club, boarding-house, or common or other lodging-house.
  3. Persons present at the appointed time on the premises of any public or private hospital, sanatorium, convalescent or nursing home, infirmary, mental hospital, religious or charitable community, residential school or college, or residential institution of any other kind.
  4. Persons present at the appointed time on the premises of any civil prison, lock-up or other place of detention.
  5. Persons who not having been enumerated elsewhere, arrive at any of the places or premises above mentioned after the appointed time and before the returns in respect of persons present on or in such premises or places at that time are required to be delivered up.
  6. Persons in the Bailiwick of Guernsey at the appointed time and not included among any of the classes of persons above mentioned.
1. The head, or person for the time being acting as the head, of the household.
  2. The manager or other person for the time being in charge of the premises.
  3. The chief resident officer or other person for the time being in charge of the institution.
  4. The governor, or other person for the time being in charge of the premises.
  5. The person specified above as the person by whom the returns are to be made with respect to the persons present at the appointed time on or in any of the premises or places above mentioned.
  6. The person with respect to whom the return is to be made.

## THIRD SCHEDULE

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*Classes of persons deemed for the purposes of these regulations to be in charge of other persons*

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|--|--|
| 1. The chief resident officer or other person for the time being in charge of any public assistance institution or mental hospital.                    | 1. The inmates of the institution.                     |
| 2. The governor or other person for the time being in charge of the premises of any civil prison, lock-up or other place of detention.                 | 2. Persons detained on the premises.                   |
| 3. The Headmaster or other person for the time being in charge of any school, orphanage or other residential institution for the young.                | 3. The inmates of the institution being children.      |
| 4. Any person for the time being having the actual custody, care or control of another person whose case is not already provided for by this Schedule. | 1. The person in such actual custody, care or control. |

*The 1st December, 1945, before Victor Gosselin Carey,  
Esquire, Bailiff; present, etc.,*

**Defence Regulations (Guernsey), 1945**

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**Defence Regulation (Victoria Hospital)  
(Guernsey), 1945, Ordinance**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it under the Emergency Powers (Guernsey) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, hereby orders that the following Defence Regulation shall henceforth have effect in the Island of Guernsey:—

1945  
 Victoria Hospital—  
 Members of the  
 Corporation

Notwithstanding any Rule or Regulation of the Corporation styled "Victoria Hospital" to the contrary, as respects those persons who, on the 30th day of June, 1940, were members of that Corporation, membership of that Corporation shall be deemed not to have ceased by reason only of non-payment since that date of any subscription required to be paid as a condition of membership of that Corporation and such persons as aforesaid shall, if willing, be and continue to be members of that Corporation and may, until the 31st day of December, 1946, exercise all rights attaching to membership thereof without being required to pay any subscription to the Funds of that Corporation.

This Regulation may be cited as the Defence Regulation (Victoria Hospital), (Guernsey), 1945.

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**Defence Regulations (Guernsey), 1945**

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**The Defence (Companies) (Guernsey) Regulations,  
 1945, Ordinance, 1945**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, hereby orders that the following Regulations shall have effect henceforth in the Bailiwick of Guernsey excluding the Island of Alderney:—

Regulation 5  
 Defence  
 (Companies)  
 Regulations,  
 1940

1.—(1) Where an order has been made in pursuance of Regulation 5 of the Defence (Companies) Regulations, 1940, of the United Kingdom, directing a company incorporated under the Island law to be registered in the United Kingdom under and in accordance with that Regulation, the Royal Court, sitting as an Ordinary Court, may, on the application of the company, make an order directing that the company shall be registered in accordance with the Island law and where the company is so

registered it shall, as from the date of such registration, be treated for all purposes as if it were a company incorporated under the Island law and registered in the Island and not elsewhere; 1945

Provided that no such application shall be made unless three months' previous written notice of intention to make the same has been given to His Majesty's Greffier.

(2) Any order of the Ordinary Court may in relation to the company to which it relates — Orders of the Ordinary Court

- (a) modify, adapt or exclude any provisions of the memorandum and articles of the company as in force immediately before the making of such order, or of any other instrument as then in force regulating the constitution or functions of the company; and
- (b) contain such incidental supplemental and consequential provisions as appear to the Court to be necessary or expedient for the purposes of such order.

2.—The Royal Court, sitting as a Court of Chief Pleas, may make rules — Royal Court may make rules

- (a) regulating the manner in which companies are to be registered under these Regulations and the matters which are to be registered under these Regulations in relation to any company;
- (b) imposing upon His Majesty's Greffier duties in relation to the obtaining or giving of information relating to any company from or to the Registrar of Companies for England;
- (c) regulating the information to be supplied to the Ordinary Court in relation to any application under these Regulations; and
- (d) for such other purposes as appear to the Royal Court to be necessary for giving effect to these Regulations.

3.—In these Regulations — Meaning of "the Island Law"  
 "the Island Law" means the Law relating to limited liability companies sanctioned by Order of His Majesty

1945 in Council registered on the Records of this Island on the 21st day of March, 1908, as amended by any subsequent enactment.

4.—These Regulations may be cited as the Defence (Companies) (Guernsey) Regulations, 1945.

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**Defence Regulations (Guernsey), 1945**

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**The Defence (Finance) (Guernsey) Regulations,  
1945 Ordinance**

THE ROYAL COURT, in the exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, and having heard the conclusions of His Majesty's Procureur, has ordered and doth hereby order that the following Finance Regulations shall have effect henceforth throughout the Bailiwick of the Island of Guernsey evcluding the Island of Alderney and that a copy of this Ordinance and of those Regulations shall be transmitted by His Majesty's Greffier to the Seneschal of the Island of Sark for registration on the Records of that Island.

**THE DEFENCE (FINANCE) (GUERNSEY)  
REGULATIONS, 1945**

**ARRANGEMENT OF REGULATIONS**

1. Acquisition by Treasury of certain securities.
  - 1A. Power of Treasury to direct sale of certain securities.
  - 1B. Custody and disposition of documents of title to securities.
- \*2. Restriction on purchase, sale and loans of foreign currency and gold.
  - \*2B. Restriction on importation into Guernsey of certain notes.

- \*2C. Restriction on importation into Guernsey of sterling bearer securities. 1945
- \*3. Restrictions on export of currency, gold and securities, etc.
- \*3A. Restrictions upon transfer of securities.
- \*3B. Restriction upon issue of documents of title relating to securities.
- \*3BA. Restriction on settlements.
- \*3C. Restrictions on payments, etc.
- \*3D. Blocked accounts.
- \*3E. Provisions supplemental to Regulations 3 to 3D.
- \*4. Acquisition by Treasury of gold coin and bullion.
- \*5. Acquisition by Treasury of certain foreign currency, etc.
- 5A. Power to exempt securities from provisions of Regulation 1.
- \*5B. Requirements as to payments for goods exported to certain territories.
- \*5C. Provision as to certain foreign bodies corporate.
- †6. Control of Capital issues.
7. Exemption from stamp duty.
- 7A. Calling in of Bank of England notes.
8. Power to obtain information.
9. Application of certain provisions of the Defence Regulations (Guernsey), 1945.
- 9A. Provision as to payments by Treasury.
- 9B. Restriction on agreements.
10. Interpretation.
11. Registration of Treasury Orders.
12. Short title.

1.—(1) The Treasury may by order direct — Acquisition by Treasury of certain securities  
 (a) that, subject to any exemptions for which provision may be made by the order, no person shall, except with permission granted by or on behalf of the

\* Repealed by The Exchange Control (Transitional Provisions) (Channel Islands) Order, 1947, made by the Treasury on the 20th September, 1947.

† Revoked by Ordinance revoking Defence (Finance) Regulation 6 of the 1st May, 1948.

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Treasury, sell, transfer or do anything which involves the creation of a charge on, or affects his rights or powers in relation to, securities of any such class as may be specified in the order, being a class of securities which, in the opinion of the Treasury, are likely to be marketable outside the United Kingdom, and

- (b) that the owner of any securities of the said class shall, in such manner and within such period as may be specified in the order, make a return to the Bank of England or to a representative in Guernsey of the Bank of England giving such particulars with respect to those securities as may be so specified.

For the purposes of this paragraph a person who mortgages or pledges a security shall be deemed thereby to create a charge on the security.

(2) At any time while an order made under the preceding paragraph with respect to securities of any class is in force, the Treasury, if they are of the opinion that it is expedient so to do for the purpose of strengthening the financial position of the United Kingdom, and the Channel Islands, may, by an order made generally with respect to any specified securities of that class, or by directions given with respect to any specified securities of that class, of which any particular person is the owner, transfer to themselves the securities to which the order or directions relates or relate, at a price specified in the order or directions being a price which, in the opinion of the Treasury, is not less than the market value of the securities on the date of the making of the order or the giving of the directions:

Provided that where the Treasury have by an order made under this paragraph transferred to themselves securities in respect of which returns had before the date of the making of that order been made to the Bank of England or to a representative in Guernsey of the Bank of England under an order made under the last foregoing

paragraph, then, if my an order or directions subsequently made or given under this paragraph the Treasury transfer to themselves securities which would have been transferred to them under the former order if such a return as aforesaid had been made before that date, the minimum price at which the securities may be transferred shall be the price specified in the former order subject to such reduction as the Treasury think fit in respect of any dividend or interest payable since the date of the making of that order, or a price which in the opinion of the Treasury is the market value of the securities on the date of the making or giving of the subsequent order or directions, whichever is the less.

(3) Where any order is made, or any directions are given, under the last preceding paragraph with respect to any securities —

- (a) those securities shall forthwith vest in the Treasury free from any mortgage, pledge or charge, and the Treasury may deal with the securities as they think fit;
- (b) the owner of any of those securities, and any person who is responsible for keeping any register or book in which any of those securities is registered or inscribed or who is otherwise concerned with the registration or inscription of any of those securities, shall do all such things as are necessary or as the Treasury or the Bank of England on their behalf may direct to be done for the purpose of securing that the security and any document of title relating thereto will be delivered to the Treasury or to such person as the Treasury may direct, and, in the case of any registered or inscribed security, that the security will be registered or inscribed in the name of the Treasury or such person as the Treasury may direct.

(4) The duty to deliver any security under the last preceding paragraph shall include a duty to do all

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such things as are necessary to secure that any dividends or interest on that security becoming payable on or after the date of the making of the order or the giving of the directions will be paid to the Treasury; and where, in the case of any security payable to bearer which is delivered in pursuance of the said paragraph, any coupons representing any such dividends or interest are not delivered with the security, such reduction in the price payable therefor shall be made as the Treasury think fit:

Provided that, where the price specified in the order or directions in relation to any securities is ex any dividend or ex any interest, this paragraph shall not apply to that dividend or interest or to any coupon representing it.

(5) A certificate signed by any person authorised in that behalf by the Treasury that any specified securities are securities transferred to the Treasury under this Regulation shall be treated by all persons responsible for keeping any registers or books in which the securities are registered or inscribed, or who are otherwise concerned with the registration or inscription of those securities, as conclusive evidence that the securities have been so transferred.

(6) Where, by virtue of sub-paragraph (a) of paragraph (3) of this Regulation, any security has become vested in the Treasury, then, at any time before the steps required by sub-paragraph (b) of that paragraph to be taken in relation to that security have been taken, the Treasury may, by a declaration made in writing by them or on their behalf, divest themselves of the security; and thereupon the order or directions in consequence of which the security so became vested in the Treasury shall be deemed, for all purposes, not to have been made or given with respect to that security.

(7) For the purposes of this Regulation, the expression "security" does not include any such annuity, policy or contract as is mentioned in sub-paragraph (d) of paragraph (1) of Regulation ten of these Regulations.

1A. Where the Treasury have by an order made under paragraph (2) of the foregoing Regulation transferred to themselves securities in respect of which returns had before the date of the making of that order been made to the Bank of England or to a representative in Guernsey of the Bank of England under an order made under paragraph (1) of that Regulation, they may give directions to the owner of any security which would have been transferred to them under the said order if such a return as aforesaid had been made before that date requiring him to take such steps as may be specified in the directions to sell, or to procure the sale of, the security.

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Power of  
Treasury to  
direct sale  
of certain  
securities

1B. The Treasury may give such directions as to the custody and disposition of documents of title relating to securities, or relating to any class or description of securities specified in the direction, as appear to the Treasury to be expedient.

Custody and  
disposition of  
documents  
of title to  
securities

5A.—(1) The Treasury may, by an order made by them generally with respect to any description of securities, or by a certificate given by them or on their behalf with respect to any particular securities, exempt the securities to which the order or certificate relates from the provisions of Regulation one of these Regulations, and any such order or certificate shall be deemed to relate not only to the securities specified therein, but also to any security to which the owner of the securities so specified may become or has become entitled as such, either by way of bonus or in consequence of any conversion operation, amalgamation or reconstruction.

Power to  
exempt  
securities  
from  
provisions of  
Regulation 1.

(2) Any order made by the Treasury or certificate given by them or on their behalf before the ninth day of May, nineteen hundred and forty, for the purpose of exempting securities from the provisions of Regulation one of these Regulations, shall be deemed to be an order or certificate made or given under this Regulation.

(3) Any certificate given under this Regulation may be revoked or varied by a notice served by or on

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 behalf of the Treasury on the person to whom the certificate was issued.

Exemption  
 from  
 stamp duty.

7.—(1) Stamp duty shall not be chargeable on any security by reason only of the assignment, transfer or negotiation thereof to the Treasury, and shall not be chargeable —

(a) on any instrument whereby any security is assigned or transferred to the Treasury (whether on sale or otherwise), or

(b) on any contract note for, or relating to, any sale of securities to the Treasury.

(2) This Regulation applies only in relation to assignments, transfers, negotiations or sales of securities effected during the continuance in force of this Regulation, whether in compliance with these Regulations or otherwise.

(3) In this Regulation the expression “contract note” has the meaning assigned to that expression by sub-section (3) of section seventy-seven of the Finance (1909-10) Act, 1910, of the United Kingdom.

10 Edw. 7  
 & 1 Geo. 5.  
 c. 8.

Calling in  
 of Bank of  
 England  
 notes.

7A. Where the Bank of England have (whether before or after the coming into force of this Regulation) given notice under Regulation 7AB of the Defence (Finance) Regulations, 1939, of the United Kingdom calling in any notes of the Bank, and the notice has expired, those notes shall not be legal tender in Guernsey.

8.—(1) The Treasury 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 them or to any person designated in the directions as a person authorised to require it, any information in his possession or control which the Treasury or the person so authorised, as the case may be, may require for the purpose of securing compliance with or detecting evasion of these Regulations or for the purpose of assisting the

government of any part of His Majesty's dominions outside Guernsey, of any country or territory to which section one of the Emergency Powers (Defence) Act, 1939, extends, or of any territory within the sterling area, to secure compliance with or to detect evasion of any Regulations or law made or enacted for purposes similar to the purposes of these Regulations.

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<sup>2 & 3 Geo.</sup>  
<sup>6. c. 62.</sup>

(2) A person required by any such directions as aforesaid to furnish information shall produce such books, accounts or other documents (hereinafter referred to as "documents") in his possession or control as may be required by the Treasury or by the person authorised to require the information, as the case may be, and for the purpose of inspecting any such documents any person so authorised as aforesaid, or any person authorised to act on behalf of the Treasury under this paragraph, may enter any premises and may take possession of any of the documents or take in relation thereto any other steps which appear to him necessary for preserving them and preventing interference therewith.

(3) No person shall, with intent to evade the provisions of these Regulations or of any Regulations or law mentioned in paragraph (1) of this Regulation, destroy, mutilate, deface, secrete or remove any documents.

(4) Any information given by a person in compliance with this Regulation may be given in evidence against him notwithstanding that it may tend to incriminate him.

(5) The provisions of this Regulation shall be without prejudice to any other provisions of these Regulations relating to the giving of information, and the provisions of the last foregoing paragraph shall be without prejudice to any question as to the admissibility as evidence of information obtained under statutory powers in the absence of any such express provision.

(6) The Treasury may, to such extent and subject to such restrictions as they think proper, delegate their

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powers under this Regulation to any person or class or description of persons approved by them.

Application of certain provisions of the Defence Regulations (Guernsey), 1945.

9.—(1) The provisions of Part V of the Defence Regulations (Guernsey), 1945, shall, subject to the subsequent provisions of this Regulation, apply for the purpose of the enforcement of these Regulations, and otherwise in relation thereto, as if in the said Part V any reference to those Regulations included a reference to these Regulations.

(2) Where any person is convicted of an offence against any of these Regulations in relation to any security, currency, gold, banknote, postal order, bill, note, debt, payment or goods, the maximum fine which may be imposed on him shall be such fine as is authorised by Regulation ninety-two of the Defence Regulations (Guernsey), 1945, or a fine equal to three times the value of the security, currency, gold, banknote, postal order, bill, note, debt, payment, or goods, whichever is the larger:

Provided that nothing in this paragraph shall be construed as limiting the fine which may be imposed on the conviction of a corporation.

In this paragraph the expression “security” has, in relation to an offence against any provision of these Regulations, the same meaning as in the provision in question, and the expression “currency” includes a right to receive foreign currency in respect of a credit or balance at a bank.

Provision as to payments by Treasury.

9A.—(1) Nothing in the preceding provisions of these Regulations relating to the payment of any price or sum by the Treasury shall be construed as requiring the Treasury to pay that price or sum otherwise than in sterling or otherwise than in Guernsey.

(2) The Treasury may, in any particular case, declare that payment of any price or sum payable by the Treasury (being a price or sum payable by reason of the compliance of such a body corporate as is specified in paragraph (2) of Regulation five C of these Regulations

with any of the requirements specified in paragraph (3) of that Regulation) will be made to a blocked account only; and where such a declaration is made, paragraphs (1) to (4) of Regulation three D of these Regulations shall apply as if —

- (a) the payment were one for the making of which permission was necessary under Regulation three C of these Regulations; and
- (b) that permission had been granted but subject to the condition that the payment was made to a blocked account.

9B.—(1) Subject to any exemption which may be granted by order of the Treasury, no person shall, except with permission granted by the Treasury or by a person authorised by them or on their behalf, agree to do at any future time any act which, at the time of the agreement, is unlawful by virtue of any provision of these Regulations:

Restriction  
on  
agreements.

Provided that, in relation to any such act which, at the time of the agreement, would be lawful if done with the consent of the Finance Committee of the States of Guernsey, this paragraph shall have effect as if for the references to the Treasury there were substituted references to that Finance Committee.

(2) Nothing in this Regulation shall be taken as prejudicing Regulation ninety of the Defence Regulations (Guernsey), 1945, as applied in relation to these Regulations.

10.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say: —

Interpre-  
tation.

“banknotes” means banknotes which are or have at any time been legal tender in the United Kingdom or in any part thereof or in the Channel Islands;

“Finance Committee” means Finance Committee of the States of Guernsey;

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“ foreign currency ” means any currency other than currency which is legal tender in the Channel Islands, and includes notes which have at any time been legal tender in any territory outside the United Kingdom and the Channel Islands;

“ gold ” means gold coin or gold bullion;

“ Guernsey ” means the Bailiwick of the Island of Guernsey excluding the Island of Alderney;

“ owner ” in relation to any security, includes any person who has power to sell or transfer the security, or who has the custody thereof, or who receives, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any other interest therein and also includes, in a case where securities are held on any trust, or dividends or interest thereon are paid into a trust fund, any trustee or any person entitled to enforce the performance of the trust, or to revoke or vary, with or without the consent of any other person, the trust or any of the terms thereof, or to control the investment of the trust moneys;

“ security ”, except in so far as is otherwise expressly provided, includes —

- (a) shares, stocks, bonds, notes, debenture, debentures, debenture stock and Treasury bills;
- (b) a deposit receipt in respect of the deposit of securities;
- (c) a unit or sub-unit of a unit trust;
- (d) an annuity granted under the Government Annuities Act, 1929, of the United Kingdom, or to which either Part I or Part II of that Act applies, and a life assurance policy or other contract entered into with an assurance company for securing the payment in the future of any capital sum or sums or of an annuity;
- (e) a warrant conferring an option to acquire a security;

(f) a share in an oil royalty;

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but does not include a bill of exchange or a promissory note.

“sterling area” means the United Kingdom, the Channel Islands and such other territories as may be declared by order of the Treasury to be included in the sterling area;

“Treasury” means His Majesty’s Treasury in the United Kingdom;

and references in these Regulations to the United Kingdom shall be construed as if the Isle of Man were part of the United Kingdom.

(2) Any consent or permission granted by or on behalf of the Treasury or the Finance Committee of the States of Guernsey under any of these Regulations may be granted either absolutely or subject to conditions.

11.—An Order made by the Treasury under these Regulations shall only take effect in Guernsey after the registration of the Order by the Royal Court. Registration  
of Treasury  
Orders.

12.—These Regulations may be cited as the Defence (Finance) (Guernsey) Regulations, 1945. Short  
title.

*The 8th day of December, 1945, before Victor Gosselin  
Carey, Esquire, Bailiff; present:*

**Ordinance designating a Competent Authority in relation  
to Regulations 55 and 62 of the Defence Regulations  
(Guernsey) 1945**

THE ROYAL COURT, in exercise of the powers thereunto enabling it, doth hereby designate the President, or Acting President, for the time being of the States Committee for Horticulture as a Competent Authority in relation to Regulations 55 and 62 of the Defence Regulations (Guernsey), 1945, to exercise all and any of the following powers in the Island of Guernsey under those Regulations:—

1. Power to issue orders and to give directions in relation to the production of crops for export and to the Powers

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export of such crops and to all matters incidental thereto and in particular, but without prejudice to the generality of the foregoing, in relation to all or any of the following matters:—

- (a) The control of the importation, distribution, acquisition, use and consumption of fuel to be utilised in the production of crops for export:
- (b) The control of the importation, production, distribution, acquisition and use of growers' empties, fertilisers to be utilised in the production of crops for export, jute string and all other growers' sundries to be utilised in the production of such crops:
- (c) The control of the prices at which any of such articles as are mentioned in paragraphs (a) and (b) hereof may be sold:
- (d) The regulation of the production of crops for export:
- (e) The prohibition of the production for export of such crops as, in the opinion of the Competent Authority hereby designated, should not be produced for export:
- (f) The grading and packing for export of crops of any description:
- (g) The control of the cartage from the place of production to the place of shipment of all crops produced for export:
- (h) The control of the export of crops and, in particular, as regards the destinations to which any of the same may be consigned and the days and times on and at which any of the same may be shipped.

2. Any power conferred by this Ordinance to issue orders and to give directions shall be construed as including power from time to time to vary or revoke such orders and directions.

## Defence Regulations (Guernsey), 1945

1945

The Defence Regulation 62 (Guernsey)  
Ordinance, 1945

THE ROYAL COURT, in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, and having heard the conclusions of His Majesty's Procureur, has ordered and hereby orders that the Regulation hereinafter contained shall henceforth have the effect in the Island of Guernsey and shall be deemed to be included in Part IV. of the Defence Regulations (Guernsey), 1945.

“62.—(1) The Competent Authority may give such directions with respect to the cultivation, management or use of land for agricultural purposes as the competent authority thinks necessary or expedient for the purpose of promoting, increasing or maintaining the production in the Island of Guernsey of articles necessary for maintaining supplies and services essential to the life of the community,\* and such directions may be given either —

- (a) by order relating to all land or to land of any class or description specified in the order; or
- (b) by notice relating to the land specified therein served on the person by whom the directions are to be complied with:

PROVIDED that no such directions shall apply to any land used as a garden, not being a market garden.

For the purposes of this paragraph, the expression “agricultural purposes” includes the purposes of dairy farming, poultry farming, livestock breeding, livestock keeping, vegetable growing, fruit growing and market gardening.

\*The words “maintaining supplies and services essential to the life of the community” have been replaced by the words “any of the purposes specified in sub-section (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945”. See Ordinance directing that certain Defence Regulations shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey, of the 16th February, 1946, and Section 5 (2) (b) of the Supplies and Services (Transitional Powers) Act, 1945.

Defence  
Regulation  
62 (Guernsey)  
Ordinance.  
1945

1945  
 Meaning of  
 "Competent  
 Authority"

(2) For the purposes of this Regulation, the expression "Competent Authority" means the Royal Court and includes such other person or persons as the Royal Court may designate as a Competent Authority in relation to this Regulation with or without limitation of the powers of such designated person or persons as prescribed in any such designation."

*Le 15 décembre, 1945, pardevant Victor Gosselin Carey, écuyer, Baillif; présents, etc.*

**Ordonnance dite "The Christmas Holidays (Greffe and Office of the Registrar of Deaths) Ordinance, 1945."**

LA COUR, ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir:—

Christmas  
 Holidays,  
 1945

As regards the year 1945—

- (a) the Ordinance entitled "Ordonnance Provisoire portant Règlement pour le Bureau du Régistraire des Morts" dated the 20th day of October, 1917, shall have effect as though Thursday, the 27th December, were included in the list of days on which the Office of the Registrar of Deaths shall be open only between the hours of 9 a.m. and 10 a.m.; and
- (b) the Ordinance entitled "Ordonnance provisoire contenant les Règlements pour le Greffe" dated the 25th day of October, 1930, shall have effect as though Thursday, the 27th December, were included in the list of closing days therein styled "jours de relâche."

**Ordonnance dite "The Official Publications (Christmas 1945 and New Year 1946) Ordinance, 1945."**

LA COUR, ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir:—

Notwithstanding the provisions of any Ordinance, publication day for the purposes of the Ordinance styled "Ordonnance provisoire par rapport à la Publication

des Annonces Officielles” passed on the 21st day of March, 1936, shall, for the weeks in which Christmas Day and New Year’s Day respectively next occur, be as follows:—

- (1) As respects the newspaper called “Guernsey Evening Press”:—

Monday, December 24th, 1945,

Wednesday, January 2nd, 1946.

- (2) As respects the newspaper called “The Star”:—

Thursday, December 27th, 1945,

Thursday, January 3rd, 1946,

and the provisions of that Ordinance shall be construed accordingly.

#### **Defence Regulations (Guernsey), 1945.**

##### **The Defence Regulation 106 (Guernsey) Amendment Ordinance, 1945.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, having heard the conclusions of His Majesty’s Procureur, has ordered and hereby orders that the Regulation hereinafter contained numbered “106A” shall henceforth have effect in the Bailiwick of Guernsey excluding the Island of Alderney and that a copy of this Ordinance shall be transmitted to the Seneschal of Sark for registration on the Records of that Island:—

106A.—(1) The Third Schedule to Regulation 106 shall be amended by the insertion, between the figures and letters “20 A” and “47A” appearing in Column 1 of the Table contained in that Schedule against the entry “the Lieutenant Governor” in Column 2 thereof of the figures and letters “20AA” and by the deletion from that Table of the entry “Regulation 5” appearing in Column 1 thereof and of the words “the Admiralty or the Lieutenant Governor” appearing in Column 2 thereof against the latter entry and the Fourth Schedule to that Regulation shall be amended by the substitution, in the

1946 last paragraph of that Schedule, for the words "Defence Regulation" of the words "derivative act."

Short title (2) Regulation 106 and this Regulation shall be deemed to be Regulations contained in Part V. of the Defence Regulations (Guernsey), 1945, and the Defence Regulations in operation at the date of the making of this Regulation which are contained or deemed to be contained in Parts I., II., III., IV. and V. of the Defence Regulations (Guernsey), 1945, may be cited henceforth as the Defence (General) (Guernsey) Regulations, 1945.

*The 9th January, 1946, before Victor Gosselin Carey, Bailiff, present, etc.*

**The Defence (Alderney) Regulations  
(Continuance) Ordinance, 1946.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, as amended by the Emergency Powers (Guernsey) (No. 2) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, has ordered and doth hereby order that the following Regulation shall have effect on and after the tenth day of January nineteen hundred and forty-six and that a copy of this Ordinance shall be transmitted to the Judge of the Island of Alderney for registration on the Records of that Island.

**Defence (Alderney) Regulations (Continuance)  
Regulation, 1946.**

The Defence (Alderney) Regulations, 1945, the Defence (Finance) (Alderney) Regulations, 1945, the Defence (Companies) (Alderney) Regulations, 1945, and any other Defence Regulations in force on the ninth day of January nineteen hundred and forty-six as respects the Island of Alderney shall continue in force on and after the tenth day of January nineteen hundred and forty-six in so far as they were in force immediately before the last mentioned day.

*The 10th January, 1946, before Victor Gosselin Carey, Esquire, Bailiff; present, etc.* 1946

**The Guernsey Defence Regulations (Extension to Alderney) Ordinance, 1946.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, as amended by the Emergency Powers (Guernsey) (No. 2) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, has ordered and doth hereby order that the following Defence Regulation numbered "107" shall henceforth have effect in the Bailiwick of the Island of Guernsey (including the Island of Alderney) and the territorial waters adjacent to every part of that Bailiwick and that a copy thereof and of the Defence Regulations referred to therein shall be transmitted by His Majesty's Greffier to the Judge of the Island of Alderney for registration on the Records of that Island.

"107.—(1) The Defence (General) (Guernsey) Regulations, 1945, the Defence (Finance) (Guernsey) Regulations, 1945, the Defence (Companies) (Guernsey) Regulations, 1945, and all other Defence Regulations continued or made by the Royal Court by virtue and in pursuance of the Emergency Powers (Guernsey) Order in Council, 1945, before the date on which this Regulation is made and which are in force throughout the Bailiwick of Guernsey excluding the Island of Alderney on that date shall on and after that date extend so as to apply to the whole of the Bailiwick of the Island of Guernsey and to the territorial waters adjacent to every part of that Bailiwick and those Regulations, notwithstanding anything therein contained, shall be construed accordingly and—

- (a) wherever the words "excluding the Island of Alderney," or words to the like effect, appear therein, those words shall be omitted;

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- (b) in Regulation 28B of the Defence (General) (Guernsey) Regulations, 1945, the words "Islands of Guernsey and Alderney respectively" shall be substituted for the words "Island of Guernsey" where the latter words twice occur;
- (c) in paragraph (3) of Regulation 94 of those Regulations, the words " or the Court of Alderney " shall be inserted after the words "The Ordinary Court ";
- (d) in Regulation 100 of those Regulations—
  - (i) in the definition of the word "Act," after the words "Royal Court of Guernsey" there shall be inserted the words " or the Court of Alderney ";
  - (ii) in the definitions of the words "ammunition," "firearm" and "Insular Government" respectively, after the word "Guernsey" there shall be inserted the words " or Alderney ";
- (e) in the application to the Island of Alderney of the Defence (General) (Guernsey) Regulations, 1945, the expression "officer of Customs and Excise" shall mean a revenue officer of the States of Alderney, and for the entry "the Bailiff" appearing in Column 2 of the Table contained in the Third Schedule to Regulation 106 against the entry "Regulation 38A" appearing in Column 1 of that Table there shall be substituted "the Judge of Alderney"; and
- (f) in the application to the Island of Alderney of the Defence (Companies) (Guernsey) Regulations, 1945, the expression "the Island law" means the law relating to Alderney limited liability companies sanctioned by Order of Her Majesty in Council registered on the Records of the Island of Guernsey on the 22nd day of May, 1894, as amended by any subsequent

enactment; and references to the Royal Court, sitting as an Ordinary Court, and to His Majesty's Greffier, shall be construed as references to the Court of Alderney, and to His Majesty's Greffier of the Island of Alderney respectively;

and all Defence Regulations in force immediately before the date on which this Regulation is made as respects the Island of Alderney (which expression shall include the dependencies of that Island and the territorial waters of that Island and of those dependencies), shall cease to have effect on that date and are hereby revoked.

(2) Ordinances, Orders, Directions, Authorities, Designations, Permits, Licences and Instructions (hereinafter referred to as "derivative acts") continued, made, given or issued under the Defence (General) (Guernsey) Regulations, 1945, or under any other Defence Regulation extended by this Regulation to the whole of the Bailiwick of the Island of Guernsey and which are in operation on the date on which this Regulation is made (except derivative acts the operation whereof is limited to the Island of Guernsey or to the Island of Sark) shall, subject to the provisions of paragraph (3) of this Regulation, extend so as to apply henceforth to the whole of the Bailiwick and to the territorial waters adjacent to every part thereof and wherever in the title to or operative part of any derivative act so extended the words "excluding Alderney" or words to the like effect are inserted, those words shall be omitted and references in any such derivative act to any officer of Customs and Excise shall as respects the Island of Alderney be construed as references to any revenue officer of the States of Alderney; and any derivative act applicable exclusively to the Island of Alderney, being a derivative act continued, made, given or issued (and in operation immediately before the last mentioned date) under any Defence Regulation revoked by this Regulation shall, notwithstanding such revocation, continue, in so far as such derivative act makes provision for

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any matter not provided for by this Regulation or by any derivative act the operation whereof is extended by this Regulation, to have effect in the Island of Alderney.

(3) (a) In the application to the Island of Alderney of any derivative act consisting of or containing the designation of any person as a Competent Authority as regards the Bailiwick excluding the Island of Alderney in relation to any Defence Regulation, the President of the States of the Island of Alderney shall, as respects that Island, be deemed henceforth to have been designated thereby as the Competent Authority.

(b) In the application to the Island of Alderney of any derivative act, references therein to the States Committee for the Control of Essential Commodities shall, so far as the context admits, be construed as references to the Alderney Committee for the Control of Essential Commodities.

(4) In Part I. of the Schedule to the Prisoners of War (Bailiwick of Guernsey) (No. 1) Order, 1945, the words "Fort Albert, Alderney" shall be inserted before the words "The Barracks, Little Sark."

(5) This Regulation shall be deemed to be contained in Part V. of the Defence (General) (Guernsey) Regulations, 1945."

*The 2nd February, 1946, before Victor Gosselin Carey, Esquire, Bailiff; present, etc.*

**The Defence Regulation (Victoria Hospital) (Guernsey), 1945, Amendment Ordinance, 1946.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it under the Emergency Powers (Guernsey) Order in Council, 1945, having heard the conclusions of His Majesty's Procureur, hereby orders that the Defence Regulation (Victoria Hospital) (Guernsey), 1945, shall henceforth have effect subject to the substitution therein for the words and figures "until the 31st day of December, 1946" of the words and figures "until the 31st day of December, 1947"

*The 16th February, 1946, before Victor Gosselin Carey, Esquire, Bailiff, present, etc.:*

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**Defence (General) (Guernsey), Regulations, 1945.**

**Ordinance repealing Defence Regulation 505 and re-enacting certain of the Ordinances re-enacted thereby.**

WHEREAS the Ordinances specified in the First Schedule to this Ordinance were made under the Emergency Powers (Guernsey Defence) Order in Council, 1939, which Order in Council was subsequently revoked:

AND WHEREAS the said Ordinances were re-enacted under the provisions of Regulation 505 of the Defence (Channel Islands) Regulations, 1944, and, by virtue of the continuation in force of that Regulation by Regulation 106 of the Defence (General) (Guernsey) Regulations, 1945, are still in force:

AND WHEREAS it is expedient that the said Regulation 505 should be revoked and that further provision should be made for the continuation in force of the said Ordinances subject to the provisions hereinafter contained:—

THE ROYAL COURT, having heard the conclusions of His Majesty's Procureur Delegate,—

- (a) in exercise of the powers conferred upon it by the Emergency Powers (Guernsey) Order in Council, 1945, as amended by the Emergency Powers (Guernsey) (No. 2) Order in Council, 1945, has repealed and hereby repeals the said Regulation 505; and
- (b) in exercise of its powers in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, has ordered and hereby orders as follows:—

1. The Ordinances specified in Part I. of the First Schedule to this Ordinance shall, subject to

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the provisions contained in the Second Schedule to this Ordinance, have effect throughout the Bailiwick of Guernsey, and the Ordinances specified in Part II. of the said First Schedule shall, subject to the provisions contained in the said Second Schedule, have effect in the Island of Guernsey, as though the said Ordinances had been made under Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, and all directions, orders, prohibitions and notices, and all licences and other authorities, hitherto made or issued under or for the purposes of such Ordinances and in force at the date of this Ordinance shall have effect accordingly.

2. Where any Ordinance specified in the said First Schedule has been amended before the date of this Ordinance, the entry in the said Schedule as respects that Ordinance shall be construed as a reference to that Ordinance as so amended.

## FIRST SCHEDULE

### PART I.

#### ORDONNANCES APPLICABLE THROUGHOUT THE BAILIWICK OF GUERNSEY

- The Control of Timber (Temporary Provisions) Ordinance, 1939—(XXXVIII. 1939).
- Essential Commodities (Returns) No. 2 Ordinance, 1939—(XLVII. 1939).
- The Food (Conditions of Sale) Ordinance, 1939—(XLVIII. 1939).
- The Motor Spirit Rationing Ordinance, 1939—(LI. 1939) (except paragraphs (a) and (b) of Section 1).
- The Liquid Fuel Storage Ordinance, 1940—(XLII. 1940).
- Heavy Oil for use in Road Vehicles (Control) Ordinance, 1940—(LVI. 1940).

## PART II.

ORDINANCES APPLICABLE IN THE ISLAND  
OF GUERNSEY

The Electricity Law, 1933, Temporary Modifications Ordinance, 1943—(IV. 1943).

The Slaughter of Livestock Ordinance, 1944—(III. 1944).

## SECOND SCHEDULE

References in the operative part of any of the said Ordinances to the Defence Regulations (Guernsey), 1939, shall be construed as references to the Defence (General) (Guernsey) Regulations, 1945.

The said Ordinances and all instruments thereunder may be cited under their respective titles, with the addition of the expression “(Re-enacted 1946).”

References in any Ordinance specified in Part I. of the First Schedule (except Ordinance No. XXXVIII. 1939) to the States Committee for the Control of Essential Commodities, or to the President of that Committee shall, in the application of that Ordinance to the Island of Alderney, be construed as a reference to the Alderney Committee for the Control of Essential Commodities or to the President of the latter Committee.

References in the Slaughter of Livestock Ordinance, 1944, to the Farm Produce Board shall be construed as references to the States Committee for Agriculture and Fisheries.

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**Ordinance directing that certain Defence Regulations shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, having heard the conclusions of His Majesty's Procureur, has ordered and doth hereby order that this Ordinance shall have effect in the Bailiwick of Guernsey and the territorial waters adjacent to every part thereof and that copies thereof shall be transmitted to the Judge of the Island of Alderney and the Seneschal of the Island of Sark for registration on the Records of those Islands respectively:—

1.—Such of the Defence Regulations contained in Part III., Part IV. or Part V. of the Defence (General) (Guernsey) Regulations, 1945, as are specified in the First Schedule to this Ordinance shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, subject to the adaptations specified in the third column of that Schedule.

2.—The Defence Regulations specified in the second Schedule to this Ordinance shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, subject to the adaptation specified in the second column of that Schedule.

3.—References in the First and Second Schedules to this Ordinance to the Supplies and Services (Transitional Powers) Act, 1945, shall be deemed to be references to that Act as extended to the Bailiwick of Guernsey by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946.

## FIRST SCHEDULE

## DEFENCE (GENERAL) (GUERNSEY) REGULATIONS, 1945

| <i>No. of<br/>Regulation</i> | <i>Subject matter</i>                                | <i>Adaptation</i>  |
|------------------------------|--|--|
| 43                           | General control of navigation                        | —  |
| 43A ...                      | Control of salvage                                   | —  |
| 44A ...                      | Power to exclude British ships from particular areas | —  |
| 45                           | Measures for safety of British ships                 | —  |
| 47A ...                      | Desertion from ships, etc.                           | —  |
| 50 ...                       | Power to do work on land                             | After the word "community" where it occurs in paragraphs (1) and (2) there shall be inserted the words "or for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers Act, 1945)". |
| 51                           | Taking possession of land                            | After the word "community" where it occurs in paragraphs (1) and (2) there shall be inserted the words "or for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945." |

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| <i>No. of<br/>Regulation</i>                       | <i>Subject matter</i>  | <i>Adaptation</i>   |
|--|--|---|
| 53   | Requisitioning of property other than land                   | After the word "community" where it occurs in paragraphs (1) and (2) there shall be inserted the words "or for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945."      |
| 54   | Special powers as to ships and aircraft                      | _____   |
| 55   | General control of industry                                  | After the word "community" where it occurs in paragraphs (1), (4) and (6) there shall be inserted the words "or for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945." |
| 62 ... (applicable only to the Island of Guernsey) | Control of cultivation                                       | After the word "community" in paragraph (1) there shall be inserted the words "or for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945."                               |
| 62B ...  | Suspension of restrictions on keeping pigs, hens and rabbits | _____   |
| 77   | Inquiries  | _____   |
| 82   | False documents and false statements                         | _____   |
| 83 ...   | Obstruction  | The words "any servant of His Majesty acting in the course of his duty as such or" and the words "or otherwise discharging any lawful functions in connection with the defence of the realm or the securing of public safety" shall be omitted.   |
| 84 ...   | Restriction on disclosing information                        | _____   |

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| <i>No. of<br/>Regulation</i> | <i>Subject matter</i>               | <i>Adaptation</i>   |
|------------------------------|-------------------------------------|---|
| 85                           | Entry upon, and inspection of, land | <p>For paragraph (1) there shall be substituted the following paragraph:—</p> <p>“(1) Any person authorised by a competent authority may, on producing, if so required, some duly authenticated document showing his authority—</p> <p>(a) enter on any land for the purposes of exercising any of the powers conferred by or under any of these Regulations;</p> <p>(b) enter on any land and inspect the land and any article thereon for the purpose of determining whether, and if so, in what manner, any of those powers are to be exercised in relation to the land or that article; and</p> <p>(c) for any purpose connected with the exercise of powers conferred by or under Regulation fifty of these Regulations (so far as those powers are exercisable for any of the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945) or of powers conferred by Regulation fifty-one of these Regulations, pass (with or without animals or vehicles) over any land:</p> <p>Provided that admission to any building or part of a building which is occupied shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been served on the occupier, or authority to enter without such notice has been given by the competent authority on the ground of urgent necessity in the public interest, and the document of authority contains a statement to that effect.”</p> |
| 87                           | Permits, licences, etc.             | Paragraph (1) shall be omitted.   |
| 88                           | Fees for permits, licences, etc.    | —   |

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| <i>No. of Regulation</i> | <i>Subject matter</i>   | <i>Adaptation</i>   |
|--------------------------|---|---|
| 88A ...                  | Entry and search of premises, etc., to obtain evidence of offences. | In paragraph (1) for the words "an offence to which these Regulations apply, or any act prejudicial to the public safety or the defence of the realm", and in paragraph (3) for the words "any of the offences mentioned in paragraph (1) of this Regulation, or any act prejudicial to the public safety or the defence of the realm" there shall be substituted the words "any offence against Regulation 55 of these Regulations or against the Defence (Finance) (Guernsey) Regulations, 1945", the words "or act" where they occur in paragraphs (1), (2) and (3) shall be omitted; and paragraph (8) shall be omitted.  |
| 89                       | Use of force in entering premises.                                  | _____   |
| 90 ...                   | Attempts to commit offences and assisting offenders                 | _____   |
| 91 ...                   | Offences by Corporations.   | _____   |
| 92 ...                   | Penalties.  | _____   |
| 93                       | Legal proceedings.  | _____   |
| 94 ...                   | Disposal of articles in possession of executive authorities.        | In paragraph (1) for the words "whether in consequence of the seizure of the article under any of these Regulations or otherwise" there shall be substituted the words "in consequence of the seizure of the article under any of these Regulations having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945", and for the words "an offence to which these Regulations apply" where they occur in paragraphs (1), (2) and (9) there shall be substituted the words "any offence against any of these Regulations having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945", and at the end of paragraph (4) there shall be inserted the words "or for any of the purposes specified in sub section (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945". |

| <i>No. of<br/>Regulation</i>   | <i>Subject matter</i>   | <u>1946</u><br><i>Adaptation</i>  |
|--|---|---|
| 95 ...   | Recovery of expenses.   | _____   |
| 96   | Entrusting of functions to statutory bodies.  | _____   |
| 97 ...   | Service of notices.   | _____   |
| 98   | Revocation and variation of orders, etc.  | _____   |
| 99B ...  | Application of Interpretation Act, 1889, to Defence Regulations.  | The reference to the Emergency Powers (Defence) Acts, 1939 and 1940, shall be construed as including a reference to the Supplies and Services (Transitional Powers) Act, 1945.  |
| 100  | Interpretation.   | At the end of the definition of "essential services" there shall be inserted the words "or for any of the purposes specified in sub section (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945"; and in paragraph 7 for the words "as amended by any subsequent Regulation made under the Emergency Powers (Channel Islands) Order in Council, 1944, or the Emergency Powers (Guernsey) Order in Council, 1945" there shall be substituted the words "as subsequently amended, modified or adapted". |
| 106 ...<br>(including only the Third and Fourth of the Schedules thereto). | Continuation of Defence Regulations, etc., made under the Emergency Powers (Channel Islands) Order in Council, 1944.        | References in these Regulations to any other Regulation or to any derivative act under any other Regulation shall, unless that other Regulation is a Regulation specified in this Schedule, be deemed to be omitted.  |
| 106A ...   | Amendment of Regulation 106, etc.   |   |
| 107 ...  | Extension to Alderney of Defence Regulations, etc., hitherto applicable only to the remainder of the Bailiwick of Guernsey. | References in this Regulation to any other Regulation or to any derivative act under any other Regulation shall, unless that other Regulation is one of the Regulations specified in this Schedule, or in the Second Schedule to this Ordinance, be deemed to be omitted.   |

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## SECOND SCHEDULE

### DEFENCE REGULATIONS OTHER THAN THE DEFENCE (GENERAL) (GUERNSEY) REGULATIONS, 1945

| <i>Regulations</i>                                  | <i>Adaptation</i>   |
|---|---|
| The Defence (Finance) (Guernsey) Regulations, 1945. | For references to the Defence Regulations (Guernsey), 1945, there shall be substituted references to the Defence (General) (Guernsey) Regulations, 1945, and in paragraph (1) of Regulation nine thereof for the words "as if in the said Part V any reference to those Regulations included a reference to these Regulations" there shall be substituted the words "as if these Regulations were included in those Regulations". |

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*The 23rd February, 1946, before Sir Abraham James  
Lainé, K.C.I.E., Lieutenant-Bailiff; present. etc.:*

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**The Emergency Laws (Transitional Provisions) (Bailiwick  
of Guernsey) Ordinance, 1946.**

THE ROYAL COURT in exercise of the powers conferred upon it by the Emergency Laws (Transitional Provisions) (Guernsey) Order in Council, 1946, having heard the conclusions of His Majesty's Procureur, has ordered and hereby orders as follows:—

1.—This Ordinance shall have effect throughout the Bailiwick of the Island of Guernsey and the territorial waters adjacent to every part of that Bailiwick and a copy thereof shall be transmitted by His Majesty's Greffier to the Judge of the Island of Alderney and to the Seneschal of the Island of Sark for registration on the Records of those Islands respectively.

2.—(1) The Defence Regulations mentioned in Parts I. and II. of the Schedule to this Ordinance shall, notwithstanding the expiry of the Emergency Powers (Defence) Act, 1939, and the Emergency Powers (Defence) Act, 1940, as extended by the Emergency Powers (Guernsey) Order in Council, 1945, continue in force until the thirty-first day of December, Nineteen Hundred and forty-seven, and the said Regulations shall have effect, as from the date on which the said Acts as so extended expire, subject to such exceptions, limitations and modifications as are specified in the third column of the said Part I. and the second column of the said Part II.

(2) Where a Defence Regulation is continued in force by this Ordinance, subject to an exception, limitation or modification, any order or other instrument made under the Regulation and in force when the said Acts as so extended expire shall continue in force and shall have effect as if it had been made under the Regulation as continued in force by this Ordinance.

(3) Subsection (2) of Section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of any

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Defence Regulation continued in force by this Ordinance as if the Regulation were an Act of Parliament and had then been repealed.

(4) Without prejudice to the last foregoing subsection, the saving provisions contained in Part III. of the Schedule to this Ordinance shall have effect upon the expiry of the Defence Regulation therein mentioned.

(5) The references in paragraph (1) of this Section to the Defence Regulations therein referred to shall be construed as references to those Regulations as in force at the date of this Ordinance.

3.—(1) Section three of the Emergency Powers (Defence) Act, 1939, as extended by the Emergency Powers (Guernsey) Order in Council, 1945 (which relates to the extra territorial operation of Defence Regulations), shall, notwithstanding the expiry of the said Act as so extended, continue to apply (so far as applicable) to any Defence Regulation continued in force by Section 2 of this Ordinance.

(2) Section seven of the said Act as so extended (which relates to the proof of instruments) shall, notwithstanding the expiry of the said Act as so extended, continue to apply in relation to instruments made or issued in pursuance of any provision contained in, or having effect under, any Defence Regulation continued in force by Section 2 of this Ordinance and documents purporting to be such instruments.

4.—Where any Regulation continued in force by Section 2 of this Ordinance also has effect by virtue of an Ordinance made in pursuance of the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, nothing in the said Section 2 shall affect the operation of that Regulation for the purposes of the said Ordinance, and nothing in the said Ordinance or done thereunder shall affect the operation of that Regulation under this Ordinance.

## SCHEDULE

## DEFENCE REGULATIONS CONTINUED FOR TEMPORARY PERIOD.

## PART I.

## DEFENCE (GENERAL (GUERNSEY) REGULATIONS, 1945.

| <i>No. of Regulation</i> | <i>Subject matter</i>   | <i>Exception, limitation or modification</i>   |
|--------------------------|---|--|
| 1                        | Misleading acts and misrepresentation                               | Sub-paragraphs (a) and (b) of paragraph 1 and the proviso to the said paragraph shall be omitted and in sub-paragraph (e) of paragraph 1 for the words "the defence of the realm or the securing of the public safety" there shall be substituted the words "the Fire Service."  |
| 2BA                      | Control of explosives   | For the words "the efficient prosecution of the war" there shall be substituted the words "the protection of the public."  |
| 12                       | Protected places  | For the words "the efficient prosecution of the war" there shall be substituted the words "the protection of the public."  |
| 14                       | Orders as respects certain places and areas                         | In sub-paragraph (2) of paragraph (1) the words "protected area or regulated area" shall be omitted, and in that paragraph the words "or area," in both places where they occur, shall be omitted.   |
| 16                       | Control of highways over or near defence works and protected places | For the words "the defence of the realm" where they first occur there shall be substituted the words "the protection of the public or the maintenance of supplies and services essential to the life of the community," and the words "to be essential for the defence of the realm or the efficient prosecution of the war or" shall be omitted. Paragraph (1A) shall be omitted. |
| 18 (as amended)          | Entering and leaving the Bailiwick of Guernsey.                     | ————   |
| 18c                      | Prisoners of war  | ————   |
| 22                       | Billeting (applicable only to the Island of Guernsey)               | ————   |

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| <i>No. of<br/>Regulation</i> | <i>Subject matter</i>  | <i>Exception, limitation or<br/>modification</i>   |
|------------------------------|--|--|
| 33A                          | Precautions against diseases associated with infestation of vermin | For the words "the carrying out of any of the purposes specified in sub-section (1) of section one of the Emergency Powers (Defence) Act, 1939," there shall be substituted the words "the public health."   |
| 39A                          | Seducing persons from duty and causing disaffection                | In sub-paragraph (a) of paragraph (1) the words from "or engaged" to the words "public safety" shall be omitted; in sub-paragraph (c) of the said paragraph the words "or in the Fire Service, or in any civil defence organisation" and the words "or of that Service, or of any such organisation" shall be omitted; and in paragraph (1A) the words from "the expression 'civil defence organisation'" to the words "public safety; and" and the words "or of a civil defence organisation" shall be omitted.   |
| 45A                          | Employment in British ships and aircraft                           | Sub-paragraph (a) of paragraph (1) shall be omitted, and the words in the said paragraph from "and an order under this Regulation" to the end of the paragraph shall be omitted.   |
| 50                           | Power to do work on land   | In paragraph (1) for the words "the defence of the realm, the prosecution of the war, the securing of the public safety, or the maintenance of supplies and services essential to the life of the community," there shall be substituted the words "the demolition and clearance of property damaged by war operations" and in paragraph (2) for the words "the public safety, the defence of the realm, the efficient prosecution of the war or the maintenance of supplies and services essential to the life of the community" there shall be substituted the words "the demolition and clearance of property damaged by war operations." |
| 52                           | Use of land for purposes of H.M. Forces.                           |  |

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| <i>No. of<br/>Regulation</i> | <i>Subject matter</i>   | <i>Exception, limitation or<br/>modification</i>   |
|------------------------------|---|--|
| 60cc                         | Power of officer of Post Office to require production of identity cards | -----  |
| 76                           | Handling and conveyance of ammunition, etc., in ports                   | -----  |
| 79                           | Collection and disposal of certain articles of military value           | -----  |
| 82                           | False documents and false statements                                    | -----  |
| 83                           | Obstruction   | The words "any servant of His Majesty acting in the course of his duty as such, or" and the words "or otherwise discharging any lawful functions in connection with the defence of the realm or the securing of the public safety" shall be omitted.   |
| 84                           | Restrictions on disclosing information                                  | -----  |
| 85                           | Entry upon, and inspection of land                                      | For paragraph (1) there shall be substituted the following paragraph:—<br>" (1) Any person authorised by the competent authority may, on producing, if so required, some duly authenticated document showing his authority.<br>(a) enter on any land for the purpose of exercising any of the powers conferred by or under any of these Regulations; and<br>(b) enter on any land and inspect the land and any article thereon for the purpose of determining whether and, if so, in what manner, any of those powers are to be exercised in relation to the land or that article:<br>Provided that admission to any building or part of a building which is occupied shall not be demanded as of right unless twenty-four hours notice of the intended entry has been served on the occupier, or authority to enter without such notice has been given by the competent authority on the ground of urgent necessity in the public interest, and the document of authority contains a statement to that effect." |

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| <i>No. of Regulation</i> | <i>Subject matter</i>   | <i>Exception, limitation or modification</i>   |
|--------------------------|---|--|
| 87                       | Permits, licences, etc.   | Paragraph (1) shall be excepted.   |
| 88                       | Fees for permits, licences, etc.  | ————   |
| 89                       | Use of force in entering premises   | ————   |
| 90                       | Attempts to commit offences and assisting offenders   | ————   |
| 91                       | Offences by corporations  | ————   |
| 92                       | Penalties   | ————   |
| 93                       | Legal proceedings   | ————   |
| Regulations 95 to 99     | Supplementary provisions  | ————   |
| 99B                      | Application of Interpretation Act, 1889, to Defence Regulations, etc.   | The reference to the Emergency Powers (Defence) Acts, 1939 and 1940, shall be construed as including a reference to the Emergency Laws (Transitional Provisions) (Guernsey) Order in Council, 1946.  |
| 100                      | Interpretation  | In paragraph (1), the definitions of "protected area" and "regulated area" shall be omitted, and in paragraph (7) for the words from "as amended by" to the end of that paragraph there shall be substituted the words "as subsequently amended, modified or adapted." |
| 106                      | Continuation of Defence Regulations, etc., made under the Emergency Powers (Channel Islands) Order in Council, 1944 | References in these Regulations to any other Regulation or to any derivative act under any other Regulation shall, unless that other Regulation is a Regulation specified in this Schedule, be deemed to be omitted.   |
| 106A                     | Amendment of Regulation 106, etc.   |  |

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| <i>No. of Regulation</i> | <i>Subject matter</i>   | <i>Exception, limitation or modification</i>  |
|--------------------------|---|---|
| 107                      | Extension to Alderney of Defence Regulations, etc., hitherto applicable only to the remainder of the Bailiwick of Guernsey. | References in this Regulation to any other Regulation or to any derivative act under any other Regulation shall, unless that other Regulation is—or, in the case of any reference to a derivative act under any Regulation of the Defence (Alderney) Regulations, 1945, being a derivative act continued in force notwithstanding the revocation of the latter Regulations, unless the corresponding Regulation of the Defence (General) (Guernsey) Regulations, 1945, is—one of the Regulations specified in this Part of this Schedule or in Part II. thereof, be deemed to be omitted. |

## PART II.

## DEFENCE REGULATIONS OTHER THAN THE DEFENCE (GENERAL) (GUERNSEY) REGULATIONS, 1945.

| <i>Regulations</i>   | <i>Exception, limitation or modification</i> |
|--|--|
| The Defence (Companies) (Guernsey) Regulations, 1945                       | -----  |
| The Defence (Continental Export) (Guernsey) Regulations, 1946              | -----  |
| The Defence Regulation (Appointment of Directors, Elizabeth College), 1945 | -----  |
| The Defence Regulation (Victoria Hospital (Guernsey), 1945, as amended     | -----  |

## PART III.

## SAVINGS.

The expiry of the Defence Regulation (Appointment of Directors, Elizabeth College) made on the 8th day of September, 1945, shall not affect the operation of the said Regulation as respects any appointment made, or any prolongation of a period of office effected, before such expiry.

1946 *Le 23 mars 1946, par devant Ambrose James Sherwill, écuyer, Baillif, présents, etc.:*

**Ordonnance terminant la circulation de certains billets.**

LA COUR, sur les représentations du Conseil Administratif qu'il n'est plus besoin de permettre la circulation de certains billets, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Les Billets mentionnés dans la Cédule à cette Ordonnance n'auront plus cours légal en cette Ile et les Iles de Sercq, d'Herm et de Jethou après le trente et un mai mil neuf cent quarante-six.

**CEDULE.**

Les Billets des valeurs suivantes: six pennis; un chelin; un chelin trois pennis; deux chelins six pennis; cinq chelins.

*The 30th March, 1946, before Ambrose James Sherwill, Esquire, Bailiff, present, etc.:*

**Defence Regulations (Guernsey), 1945.**

**The Defence (Companies) (Guernsey and Alderney) Rules Ordinance, 1946.**

THE ROYAL COURT, by virtue and in exercise of the powers conferred upon it by the Defence (Companies) (Guernsey) Regulations, 1945 (hereinafter referred to as "the principal Regulations"), having heard the conclusions of the Law Officers of the Crown, hereby orders that the following Rules shall have effect henceforth in the Islands of Guernsey and of Alderney and that a copy thereof shall be transmitted by H.M. Greffier to the Judge of the Island of Alderney for registration on the records of that Island.

## 1. In these Rules—

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“ Company ” means a Limited Liability Company registered as such upon the records of the Island of Guernsey or of the Island of Alderney, as the case may require, the registration of which Company has been transferred to the Register of Companies in England under Regulation five of the Defence (Companies) Regulations, 1940, of the United Kingdom;

“ the Court ” in relation to the Island of Guernsey means the Royal Court sitting as an Ordinary Court and, in relation to the Island of Alderney, means the Court of Alderney;

“ H.M. Greffier ” means H.M. Greffier of the Island of Guernsey or of the Island of Alderney, as the case may require;

“ the Island law ” in relation to the Island of Guernsey means the Law relating to Limited Liability Companies sanctioned by Order of His Majesty in Council registered on the Records of that Island on the 21st day of March, 1908, as amended by any subsequent enactment and, in relation to the Island of Alderney, means the law relating to Alderney Limited Liability Companies sanctioned by Order in Council registered on the Records of the Island of Guernsey on the 22nd day of May, 1894, as amended by any subsequent enactment.

2. (1) Where a Company proposes to make an application to the Court under the principal Regulations for an order directing that the Company shall be registered in accordance with the Island law, the Company shall, at the time of giving notice in accordance with Article 1 (1) of the principal Regulations (or, where such notice has been given before the date on which these Rules are made, within the twenty-one days next following that date)

Applications  
to the  
Court for  
registration

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lodge the application, in duplicate, with H.M. Greffier, together with two copies of the Memorandum and Articles of Association of the Company, showing the amendments, whether by way of modification, adaptation or exclusion, which have been made to the Memorandum and Articles of Association of the Company since it ceased to be registered under the Island law, and indicating those amendments which have been made by order of the Board of Trade of the United Kingdom and those amendments which have been made subsequently by resolution of the Company.

Particulars  
to be  
given

(2) The application shall include the following particulars:—

- (a) The name of the Company and its original name, if subsequently changed, and the address of its registered office in the United Kingdom.
- (b) The date on which the Company was registered in the United Kingdom.
- (c) The date on which the Company desires to be registered in accordance with the Island law.
- (d) The amendments to the Memorandum and Articles which the Company desires to retain.

Duties  
of H.M.  
Greffier

3. It shall be the duty of H.M. Greffier upon the receipt of the application—

- (a) to appoint a date for the hearing thereof;
- (b) to transmit to H.M. Procureur of the Island of Guernsey or of the Island of Alderney, as the case may require, a copy of the notice and of the application together with notice of the date appointed in accordance with this Rule;
- (c) to notify the Board of Trade of the date appointed in accordance with this Rule;
- (d) to cause a notice to be published in “La Gazette Officielle” stating that the application has been so lodged, that the particulars thereof may be inspected at the Greffe, and setting out

the date appointed for the hearing of the application. The notice shall include a reference to the provisions of paragraph (2) of Regulation 1 of the principal Regulations.

4. Upon the hearing of an application under the principal Regulations proof shall be produced to the satisfaction of the Court: Requirements of the Court
- (a) that an Order of the Board of Trade has been made directing that the Company which is the subject of that application shall cease as from a date mentioned in that Order to be registered under Regulation five of the Defence (Companies) Regulations, 1940, of the United Kingdom; and
- (b) that the notice required to be published in accordance with the preceding Rule has been so published.
5. As soon as may be after the Court has made an Order under the principal Regulations directing that a Company shall be registered in accordance with the Island Law, H.M. Greffier shall notify the Registrar of Companies for England that such Order has been made, and of the date on which such Order is to take effect. Notification to be given to the Registrar of Companies (England)
6. On the making of such Order as aforesaid, the Company which is the subject of such Order shall forthwith file with H.M. Greffier— Company to file registered address and return
- (a) a notice setting forth the address of its registered office in the Island; and
- (b) a return setting forth all those particulars, as at the date of the filing of the return, which the Company is required by the Island Law to include in its Annual Return.
7. There shall be paid to H.M. Greffier upon the making of an application under these Rules the ordinary Court and Greffe fees, the cost of the publication of the notice referred to in Paragraph (d) of Rule 3 of these Rules and a fee of £10 10s. 0d. Fees payable

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8. These Rules may be cited as the Defence (Companies) (Guernsey and Alderney) Rules, 1946.

*Aux Chefs Plaids d'après Pâques tenus le 29 avril, 1946, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif; présents, etc.*

**Ordonnance relative à la célébration du premier anniversaire de la libération de l'Île (1946).**

ATTENDU qu'il convient d'observer comme jour férié le premier anniversaire de la libération de l'Île et à cette occasion d'étendre les heures d'ouverture des Prémises Licenciées pour la vente de liqueurs spiritueuses, vins, bière et cidre:

LA COUR, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne comme suit savoir: —

- |   |  |
|---|--|
| Jour férié                              | 1. Jeudi le 9 mai 1946 sera un jour férié et un jour de relâche en ce qui concerne le Greffe.  |
| Le Bureau du Registraire                | 2. Le dit jour le Bureau du Registraire des Morts sera ouvert seulement depuis neuf heures jusqu'à dix heures du matin.  |
| Lettres de change et billets à ordre    | 3. Toute lettre de change ou billet à ordre qui deviendra dû et payable jeudi le 9 mai 1946 sera payable, et en cas de non-paiement pourra être noté et protesté, vendredi le 10 mai 1946.   |
| Connaissance de non-paiement            | 4. Lorsque connaissance devrait être donnée le 9 mai 1946 du non-paiement d'une lettre de change ou d'un billet à ordre, connaissance sera donnée le 10 mai 1946.  |
| La Vente de Liqueurs Spiritueuses, etc. | 5. L'Ordonnance Provisoire du 19 mars 1932 portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre passée le 19 mars 1932 ainsi qu'amendée par des Ordonnances subséquentes aura effet jeudi le 9 mai 1946 en ce qui concerne les prémisses licenciées pour la vente de liqueurs alcooliques des 1 <sup>ère</sup> , 2 <sup>ème</sup> , 3 <sup>ème</sup> et 6 <sup>ème</sup> classes avec les modifications suivantes, savoir: — |
|   | (i) Les prémisses ne seront pas ouvertes pour la fourniture de boissons enivrantes au public entre deux heures et demie et quatre heures de l'après-midi.  |

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- (ii) Il sera permis de garder les prémisses ouvertes pour la fourniture de boissons enivrantes au public à partir de quatre heures de l'après-midi jusqu'à minuit; bien entendu que la Police pourra après l'heure ordinaire de fermeture ordonner que toute maison licenciée où il y a raison de craindre qu'un désordre se souleva sera vidée et fermée et alors si telle maison ne soit vidée et fermée conformément à tel ordre celui qui en tient la licence et toute autre personne qui n'obéira pas à tel ordre sera coupable d'une offense et sera passible d'une amende à discrétion de Justice qui n'excédera pas Cinq livres sterling.

*Le 18 mai 1946, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif; présents. etc.*

**Ordonnance déclarant que certains billets n'auront plus cours légal.**

LA COUR, sur les représentations du Conseil d'Administration qu'il n'est plus besoin de permettre la circulation de certain billets, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Les Billets mentionnés dans la Cédule à cette Ordonnance n'auront plus cours légal en cette Ile et les Iles de Sercq, d'Herm et de Jethou après le huit juin 1946.

**CEDULE**

States of Guernsey notes of the denomination of £5 bearing the date of the first day of January, 1945, and numbered  $\frac{1}{A}$  0001 to  $\frac{1}{H}$  2000 inclusive.

*Le 1er juin 1946, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif; présents. etc.*

**The Slaughter of Livestock Ordinance, 1946.**

LA COUR, en vertu des Règlements 55 et 98 des Règlements dits "Defence (General) (Guernsey) Regulations, 1945," lesquels Règlements ont effet aux fins de l'Ordonnance du 16 février 1946 intitulée "Ordinance directing

- 1946 that certain Defence Regulations shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey," et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir: —
- Definitions 1.—In this Ordinance, the following expressions have the meanings hereinafter assigned to them respectively: —
- “ The Committee ” means the States of Guernsey Committee for the Control of Essential Commodities.
- “ Livestock ” means any steer, bull, cow, cow heifer, heifer, calf, sheep (including any ram, ewe or lamb), pig or sow.
- Slaughter of Livestock 2.—(1) Except under the authority and in accordance with the conditions and during the period of validity of a licence issued by or under the authority of the Committee, no person shall slaughter or permit the slaughter of any livestock for human consumption.
- (2) In any proceedings in respect of any contravention of this Article the slaughter of any livestock shall be prima facie evidence that such slaughter was for human consumption.
- When restriction does not apply 3.—The restriction on the slaughter of livestock imposed by Article 2 hereof shall not apply to:—
- (i) slaughter of any livestock which is compulsory by law;
- (ii) slaughter of an animal where slaughter is immediately necessary on account of accidental injury to the animal or its illness.
- Notification 4.—(1) Where an animal has been slaughtered pursuant to the provisions of Article 3 (ii) hereof, notice of such slaughter shall be given within 48 hours by or on behalf of the owner of the animal to the Committee in such form and containing such particulars as the Committee

may from time to time prescribe, and no person shall sell or otherwise dispose of the carcase, including offals, except under and in accordance with directions in relation thereto given by or on behalf of the Committee.

- (2) Nothing in this Article shall affect any obligation imposed on the owner or slaughterer of any animal by any Ordinance, Order or Regulation relating to the inspection of meat or to public health.
- 5.—An application for a licence under this Ordinance shall be made within such time, in such form, and shall contain such particulars as the Committee may from time to time prescribe; the Committee may refuse to grant any licence if in their opinion it is proper, for the purpose of ensuring the orderly marketing of the carcasses of livestock, so to do. Applications for licence
- 6.—Except under and in accordance with the terms of a licence granted by the Committee, any meat for human consumption derived from any slaughtered livestock shall, in Guernsey, be sold to the Guernsey Wholesale Meat Committee and, in the Island of Sark, be sold to such Authority as the Committee shall direct. Meat to be sold to the Guernsey Wholesale Meat Committee
- 7.—The Committee may by means of a general or special authority delegate its power to issue licences under the provisions of this Ordinance to such person or persons as it shall think proper. Committee may delegate powers
- 8.—This Ordinance shall apply to the Bailiwick of Guernsey excluding Alderney and a copy thereof shall be transmitted by His Majesty's Greffier Delegate to the Seneschal of the Island of Sark for registration on the Records of that Island. Alderney excluded
- 9.—The Ordinance styled "The Control of the Slaughter of Livestock Ordinance, 1944 (Re-enacted 1946)" is hereby repealed.

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**Ordinance designating a Competent Authority in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945.**

States Dairy Committee a Competent Authority Purposes

1.—THE ROYAL COURT, in exercise of the powers thereunto enabling it and in view of the decision of the States of Deliberation of the 22nd day of May, 1946, doth hereby designate the States Dairy Committee as a Competent Authority as regards the Island of Guernsey in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, and for the following purposes only:—

- (i) Of varying the wholesale prices of milk (as approved by the States), for the purpose of reducing the seasonal variations in supply and of meeting the demands of consumers;
- (ii) Of exercising control over production within the terms of the Joint Report dated 1st March, 1946, published in the Billet d'Etat dated 22nd May, 1946 (No. XIII of 1946).
- (iii) Of controlling the distribution of milk except by way of rationing;
- (iv) Of legalising the retail selling price of liquid whole milk, liquid separated milk for human consumption and locally produced butter, as from time to time fixed by resolution of the States.

*Le 31 août 1946, par devant Messire Abraham James Lainé, K.C.I.E., Lieutenant Baillif, présents, etc.:*

**The Matrimonial Causes Law (Guernsey), 1939, Commencement Ordinance, 1946.**

LA COUR, en vertu des dispositions de l'alinéa (2) de l'Article 71 de la Loi dite "The Matrimonial Causes Law (Guernsey) 1939," et ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne comme suit, savoir:—

Matrimonial Causes Law Guernsey (1939) to come into operation immediately

Every Article and paragraph of the Matrimonial Causes Law (Guernsey), 1939, not already in operation when this Ordinance is passed shall come into operation immediately upon the passing thereof.

ET a de plus ordonné qu'un exemplaire de cette présente Ordonnance sera transmis par le Greffier du Roi à M. le Juge d'Auregny pour être enregistré sur les Records de la dite Ile et que cette présente Ordonnance sera publiée dans la Gazette Officielle.

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*Le 7 septembre 1946 par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif, présents, etc.:*

### **Juge en Causes Matrimoniales**

LA COUR, étant informée par les Officiers du Roi qu'il y a lieu de nommer un Juge en Causes Matrimoniales suivant et aux fins de l'article 4 de la Loi dite "The Matrimonial Causes Law (Guernsey) 1939" sanctionnée par Ordre de Sa Majesté en Conseil en date du 3 juillet 1939, enregistré sur les records de cette Ile le 22 juillet 1939, a nommé Henry James Casey, écuyer, M.B.E., M.C., Barrister-at-Law, commis de la Cour Royale aux fins du dit article, sous le style de "The Judge in Matrimonial Causes." et ce pour la période de cinq ans à compter de ce jour.

### **The Matrimonial Causes Law (Guernsey), 1939. Commencement Ordinance, 1946, Application to Sark Ordinance, 1946.**

LA COUR, en vertu des dispositions de l'alinéa (2) de l'Article 71 de la Loi dite "The Matrimonial Causes Law (Guernsey) 1939" et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir: —

The final paragraph of the Ordinance entitled "The Matrimonial Causes Law (Guernsey), 1939, Commencement Ordinance, 1946," shall be amended by

- (1) the insertion of the words "et à M. le Sénéchal de Serk" between the words "le Juge d'Auregny" and the words "pour être enregistré";
- (2) the substitution of the words "des dites Iles" for the words "de la dite Ile."

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Et a de plus ordonné qu'un exemplaire de cette présente Ordonnance sera transmis par le Greffier du Roi à M. le Juge d'Auregny et à M. le Sénéchal de Serk pour être enregistré sur les Records des dites Iles et que cette présente Ordonnance sera publiée dans la Gazette Officielle.

*The 14th September, 1946, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present, etc.:*

**Matrimonial Causes (Costs and Court Fees)  
Ordinance (1946).**

THE COURT, by virtue of the provisions of section (1) of Article 69 of the Matrimonial Causes Law (Guernsey) 1939, hereinafter referred to as "the principal Law") and having heard the conclusions of His Majesty's Comptroller, has ordered and hereby orders as follows:—

Matrimonial  
Causes—  
Costs and  
fees

In all matrimonial causes save those in respect of which the Court of Alderney or the Court of Sark has exclusive original jurisdiction there shall be paid by way of costs and Court fees the sums set out in the Schedule hereto.

Such sums shall be paid to the persons specified in the Schedule hereto, and shall be paid, subject to any award of costs made by the Court by virtue of Article 68 of the principal Law, and subject to any regulations made by the Royal Court by virtue of Article 7 of the principal Law, by the person or persons at whose request the matters in respect of which such sums become payable were carried out:

PROVIDED that nothing in this Ordinance contained shall be construed as limiting the right of any person or body other than the Court, His Majesty's Greffier or His Majesty's Sergeant, to waive the payment to such body or person of any sum or sums which but for such waiver would be payable by virtue of the provisions of this Ordinance.

And the Court has further ordered that a copy of this Ordinance shall 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 those islands.

## SCHEDULE

1946

## COURT FOR MATRIMONIAL CAUSES

## SCALE OF COSTS, FEES AND CHARGES

*Answer: settling:—*

Advocate £2.

if containing cross-petition, settling:—

Advocate £3.

*Appeal or Cross-Appeal:*

hearing of, first half-day:—

Court 10/-; Greffier 10/-; Advocate £5.

hearing of, for each additional half-day:—

Advocate £3.

notice of, settling:—

Advocate 10/-.

notice of, memorandum of, entering:—

Greffier 2/6d.

*Appearance: entry of:—*

Greffier 2/6d.

notice of, to every opposite party--each notice:--

Sergeant 2/6d.; Advocate 7/6d.

settling, memorandum of:—

Advocate 5/-.

*Applications: (including applications to vary or modify an order given, on any issue, other than for*

(i) contributions for support;

(ii) variations of settlements;

(iii) care of children),

settling:—

Advocate 10/-.

hearing:—

Court 5/-; Greffier 5/-; Advocate 10/-.

order:—

Greffier 5/-.

1946 *Cause or Issue:*

setting down:—

Greffier 2/6d.; Advocate 5/-.

hearing of, defended:—

first half-day, Court 10/-, Greffier 10/-,  
Advocate £5; for each additional half-  
day, Advocate £3.

hearing of, undefended:—

Court 5/-, Greffier 5/-, Advocate £3.

*Children:* application for care of,

settling:—

Advocate £1.

hearing:—

Court 5/-, Greffier 5/-.

hearing (for each hour or part of an hour):—

Advocate £1.

counsel separately representing the children of  
the marriage (for each hour or part of an  
hour):—

Advocate £1.

order:—

Greffier 5/-.

*Commission:* issue of:—

Greffier £1.

*Declarations,* sworn:

settling:—

Advocate 10/-.

swearing:—

Body or person administering oath 5/-, (or  
appropriate fee if sworn elsewhere than in  
the Island of Guernsey)

examination by the Court of person who should  
have made:—

Court 2/6d., Greffier 2/6d., Advocate £1.

*Decree:* drafting:—

Greffier 10/-.

sealed copy, issuing:—

Greffier 5/-.

certified copy, issuing:—

Greffier 5/-.

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*Discretion Statement:*

settling:—

Advocate 10/-.

lodging:—

Greffier 2/6d.

*Documents, examined copies (folio—72 words):*

typed and examined, per folio (minimum 2/6d.):—

Greffier 1/-.

examined only, per folio:—

Greffier 6d.

making copies, per folio:—

Advocate 1/-.

producing, per attendance:—

Advocate 7/6d.

*Document, other than a petition:*

filing:—

Greffier 2/6d.

*Guardian, to Minor or person of unsound mind:*

appointment of:—

Court 2/6d., Greffier 2/6d., Advocate 10/-.

*Interrogatories:*

settling:—

Advocate £1.

answer to, settling:—

Advocate £1.

*Judicial Separation, Rescission of:*

settling declaration:—

Advocate 10/-.

witnessing:—

Greffier 5/-.

*Medical Inspections of Parties:*

attendance identifying:—

Advocate £1.

minute of identification of parties, signing:—

Advocate 5/-.

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 1946 *Report:*

filing of:—

Greffier 2/6d.

supplying copy of:—

Greffier 5/-.

fee per person for examination and report:—

Doctor—minimum 3 guineas.

maximum 5 guineas.

*Notices, Public*, in La Gazette Officielle, in addition to cost of publication:—

Greffier 5/-.

*Notices* for which no fee otherwise laid down, including notices to produce documents:

settling:—

Advocate 10/-.

*Order*, final:

drafting:—

Greffier 10/-.

*Petition:*

settling:—

Advocate £3.

filing:—

Greffier 5/-.

*Petition*, supplemental:

settling:—

Advocate £2.

filing:—

Greffier 2/6d.

*Pleadings*, other than petition or answer:

settling:—

Advocate £1.

particulars of pleadings, application for:—

Advocate £1.

particulars of pleadings, settling:—

Advocate £1.

- Pleadings* for which no fee otherwise laid down, amend- 1946  
ments to: —
- settling: —  
Advocate £1.
- Search*:
- Greffe: —  
Greffier 2/6d., Advocate 5/-.
- Service* of any document, in addition to out-of-pocket  
expenses: —  
Sergeant 2/6d.  
certificate of: —  
Sergeant 1/-.
- Service*, substituted:  
settling advertisement: —  
Advocate 10/-.
- Service* abroad, request for:  
settling form of: —  
Advocate 10/-.  
sealing document to be served: —  
Greffier 2/6d.  
translation of document to be served: —  
Advocate 10/-.  
transmission to H.E. the Lieutenant-Governor:  
Sergeant 2/6d.
- Settlements*, application for variation of:  
settling: —  
Advocate £2.  
hearing: —  
Court 5/-, Greffier 5/-.  
hearing (for every hour or part of an hour): —  
Advocate £1.  
counsel separately representing the children of  
the marriage (for each hour or part of an  
hour): —  
Advocate £1.  
order: —  
Greffier 5/-.



A party having engaged two Advocates may apply to the Court at the hearing for costs for two Advocates to be awarded and should the Court grant the application the costs in respect of the second Advocate shall be a sum equal to two-thirds of the amount in respect of the first Advocate.

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In the event of the Court not awarding costs of two Advocates, the costs of one Advocate only shall be charged.

*The 12th October, 1946, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff, present, etc.:*

**Ordinance Amending the Matrimonial Causes Rules, 1945  
(Ordinance No. XXIX of 1945).**

THE COURT, by virtue of Article 6 of The Matrimonial Causes Law (Guernsey), 1939, and having heard His Majesty's Procureur, hereby orders:—

Rule 31 of the Matrimonial Causes Rules, 1945, is hereby amended by the deletion from line two of that Rule of the words "give notice in La Gazette Officielle" and the substitution therefor of the words "cause to be published in the vestibule of the Royal Court, for seven consecutive days, a notice."

*The 16th November, 1946, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff, present, etc.:*

**The Control of the Export of Cattle Ordinance,  
Number 2 of 1946.**

THE COURT, on the representations of the States Committee for Agriculture and Fisheries, and having heard His Majesty's Comptroller thereon, hereby orders:—

The Ordinance passed at the Chief Pleas after Michaelmas, held on the 5th October, 1840, which Ordinance bears the marginal reference of "Bétail Etranger" is hereby repealed.

Ordinance  
5th October.  
1840.

repealed

1947 *The 22nd February, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C.. Bailiff, present, etc.:*

**Ordinance designating a Competent Authority in relation to Regulation 62 of the Defence Regulations (Guernsey) 1945.**

President of States Committee for Agriculture a Competent Authority

THE ROYAL COURT, in exercise of the powers thereunto enabling it, doth hereby designate the President, or the Acting President for the time being of the States Committee for Agriculture and Fisheries as a Competent Authority in relation to \*Regulation 62 of the Defence Regulations (Guernsey), 1945.

\* No. XXXVIII. of 1945.

*Le 24 mai 1947, par devant Ambrose James Sherwill, écuyer. C.B.E., M.C., Baillif, présents, etc.:*

**Cimetière—St. Pierre-du-Bois**

Sur la demande de Messieurs Théodore McKane et John Bourgaize, Connétables de la Paroisse de Saint Pierre-du-Bois d'établir un Cimetire paroissial dans deux courtils appelés "Le Courtil Josué" et "Le Courtil la Croix" joignant ensemble situés proche le Longfrie et bordant la grande route entre le Longfrie et l'Arsenal des Islets en la dite Paroisse de Saint Pierre-du-Bois,—

LA COUR, après qu'il a paru que les formalités voulues par la Loi ont été observées et après avoir entendu le rapport de l'Officier de Santé, a, ouïes les conclusions des Officiers du Roi, accordé la dite permission.

*The 14th June, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff, present, etc.:*

**Ordinance of 1947 prescribing the appointed date for the purposes of the Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947.**

WHEREAS the States Insurance Authority have on the 14th day of June, 1947, under and by virtue of the provisions of Article 11 of the Benefits and Pensions

(Contributory and Non-Contributory) Amendment Law, 1947 (hereinafter referred to as "the Law") appointed the 29th day of June, 1947, to be "the appointed date" in respect of the Law. 1947

THE COURT, having heard the conclusions of H.M. Comptroller, under and by virtue of the provisions of Article 1 of the Law, hereby orders that "the appointed date" in respect of the Law shall be the said 29th day of June, 1947. Appointed date to be 29th June. 1947.

*The 8th July, 1947, before Ernest de Garis, Esquire, O.B.E., Lieutenant Bailiff, present, etc.:*

**Ordinance of 1947 repealing the "Ordonnance relative à la Perception des Droits de Tonnage" of 1932.**

THE COURT, having considered the Harbour Dues (St. Peter Port and St. Sampson) Law, 1947, and having heard His Majesty's Comptroller thereon, hereby orders:

The "Ordonnance relative à la Perception des Droits de Tonnage" passed on the 22nd day of March, 1924, and made permanent on the 18th day of January, 1932, is hereby repealed.

*Le 6 octobre 1947, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Bailiff, présents, etc.:*

**Presentation of German Books.**

The Bailiff announced that His Excellency the Lieutenant Governor had presented to the Royal Court three bound volumes prepared by the German Authorities during the enemy occupation of the Channel Islands.

Two of these were entitled *Festung Guernsey*, the other *Festung Jersey*. They contained numerous diagrams, maps and photographs of fortifications and other works carried out by the Germans in these Islands and also a mass of interesting details in relation to the German occupation. (The volumes in question have been placed on Shelf H in the Bailiff's Room).

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*Le 18 octobre 1947, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif, présents, etc.:*

**Sceau du Bailliage**

Attendu que par Acte de la Cour Royale en date du premier octobre 1832 il fut ordonné que désormais il ne serait fait usage que du nouveau Sceau du Bailliage qui avait été obtenu à ce temps-là (ci-après désigné “ le Sceau de 1832 ”):

Attendu que le 21 mai 1938 la Cour Royale décida qu’un nouveau Sceau (ci-après désigné “ le Sceau de 1938 ”) serait obtenu pour remplacer le Sceau de 1832:

Attendu que le Sceau de 1938 fut reçu le 19 août 1938:

LA COUR a ordonné et ordonne comme suit, savoir: —

(1) que le Sceau de 1832 sera logé au Greffe, après avoir été coupé de manière à ne plus pouvoir servir;

(2) qu’à l’avenir il ne sera fait usage que du Sceau de 1938 pour sceller les instruments qui doivent être scellés du Sceau du Bailliage;

(3) que le Sceau de 1938 restera, comme de tous temps usité, entre les mains de Monsieur le Baillif, pour s’en servir, pour le scellage d’instruments, en présence de deux Jurés de la Cour.

*The 27th December, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff, present, etc.:*

**The Emergency Laws (Miscellaneous Provisions Continuance) (Bailiwick of Guernsey) Ordinance, 1947.**

THE ROYAL COURT, in exercise of the powers conferred on it by the Emergency Laws (Miscellaneous Provisions) (Guernsey) Order in Council, 1947, and having heard His Majesty’s Procureur thereon, hereby orders: —

Sceau de  
1832 logé  
au Greffe  
Sceau de  
1938—  
usage

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1.—This Ordinance shall have effect throughout the Bailiwick of the Island of Guernsey and the territorial waters adjacent to any part of that Bailiwick and a copy thereof shall be transmitted by His Majesty's Greffier to the Judge of the Island of Alderney and to the Seneschal of Sark for registration on the respective Records of those Islands.

2.—(1) The Defence Regulations mentioned in Parts I and II of the Schedule to this Ordinance shall, unless previously revoked, continue in force until the tenth day of December, 1950, and the said Regulations shall continue to have effect subject to the exceptions, limitations and modifications specified in Part III of the Schedule to this Ordinance.

(2) Where a Defence Regulation is continued in force by this Ordinance, subject to an exception, limitation or modification, any order or other instrument made under the Regulation and in force when this Ordinance comes into operation shall continue in force and shall have effect as if it had been made under the Regulation as continued in force by this Ordinance.

(3) Sub-section (2) of Section 38 of the Interpretation Act, 1889, shall apply upon the expiry or earlier revocation of any Defence Regulation continued in force by this Ordinance as if that Regulation were an Act of Parliament and had then been repealed.

(4) The references in paragraph (1) of this Article to the Defence Regulations therein referred to shall be construed as references to those Regulations as in force at the date of this Ordinance.

3.—(1) Section 3 of the Emergency Powers (Defence) Act, 1939 as extended by the Emergency Powers (Guernsey) Order in Council, 1945, (which relates to the extra-territorial operation of Defence regulations), shall, notwithstanding the expiry of the said Act as so extended, continue to apply (so far as applicable) to any Defence Regulations continued in force by Article 2 of this Ordinance.

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(2) Section 2 of the said Act as so extended (which relates to the proof of instruments) shall, notwithstanding the expiry of the said Act as so extended, continue to apply in relation to instruments made or issued in pursuance of any provision contained in, or having effect under, any Defence Regulation continued in force by Article 2 of this Ordinance and documents purporting to be such instruments.

4.—Where any Regulation continued in force by Article 2 of this Ordinance also has effect by virtue of an Ordinance made in pursuance of the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, nothing in the said Article 2 shall affect the operation of that Regulation for the purposes of the said Ordinance, and nothing in the said Ordinance or done thereunder shall affect the operation of that Regulation under this Ordinance.

5.—This Ordinance shall come into operation on the 31st day of December, 1947.

## SCHEDULE

### PART I

#### *Defence (General) (Guernsey), Regulations, 1945*

- Regulation 2B A (Control of explosives).
- Regulation 12 (Protected places).
- Regulation 14 (Orders as respects certain places and areas).
- Regulation 18C (Prisoners of War, etc).
- Regulation 22 (Billeting).
- Regulation 45A (Employment in British ships and aircraft).
- Regulation 50 (Power to do work on land).
- Regulation 52 (Use of land for purposes of H.M. Forces).
- Regulation 60C C (Power of officers of Post Office to require production of identity cards).

|  |   |      |
|--|---|------|
| Regulation 82  | (False documents and false statements).                             | 1947 |
| Regulation 83  | (Obstruction).  |      |
| Regulation 84  | (Restrictions on disclosing information).                           |      |
| Regulation 85  | (Entry on and inspection of land).                                  |      |
| Regulation 87  | (Permits, licences, etc).   |      |
| Regulation 88  | (Fees for permits, licences, etc).                                  |      |
| Regulation 89  | (Use of force in entering premises).                                |      |
| Regulations 90 to 93 inclusive, 95 to 98 inclusive, 99B and 100,   | (which contain administrative, legal and supplementary provisions). |      |
| Regulations 106, 106A and 107, (Modification of Regulations and extension to Alderney) so far as those Regulations relate to any Defence Regulation continued in force under the provisions of this Ordinance. |   |      |

## PART II

*Defence Regulations other than the Defence (General) (Guernsey), Regulations, 1945*

The Defence (Companies) (Guernsey) Regulations, 1945.

## PART III

*Modifications of Regulation 45A of the Defence (General) (Guernsey) Regulations, 1945*

The marginal note " Issue of identity cards to seamen " shall be substituted for the marginal note " Employment in British ships and aircraft " and, in paragraph (1), the words " public interest " shall be substituted for the words " interests of the defence of the realm or the efficient prosecution of the war ".

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*The 1st May, 1948, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present, etc.:*

**Defence (Finance) (Guernsey) Regulations, 1945.**

*Ordinance revoking Defence (Finance) Regulation 6*

THE ROYAL COURT, on the representations of the States Finance Committee, by virtue and in exercise of the powers conferred upon it by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, having heard the Law Officers of the Crown thereon, hereby orders that Regulation 6 of the Defence (Finance) (Guernsey) Regulations, 1945, be, and the same hereby is, revoked, without prejudice however to the validity of any transaction previously authorised under and by virtue of the said Regulation.

*The 8th day of May, 1948, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present, etc.:*

**Ordinance designating a Competent Authority for certain purposes in relation to Regulation 62 of the Defence Regulations (Guernsey), 1945**

President of  
States  
Committee  
for  
Horticulture  
as Competent  
Authority

Notwithstanding any of the provisions of the Ordinance designating a Competent Authority in relation to Regulations 55 and 62 of the Defence Regulations (Guernsey), 1945, passed on the 8th day of December, 1945, (No. XXXVIII of 1945), the Royal Court, as the Competent Authority for the purposes of the said Regulation 62, under and by virtue of the provisions of paragraph (2) of that Regulation, and having heard the Law Officers of the Crown thereon, hereby designates the President of the States Committee for Horticulture as a Competent Authority, without limitation of his powers, for the purposes of the said Regulation 62.

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*Le 19 juin 1948, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif; présents, etc.:*

**Auregny — Juré Déchargé**

La Cour, ayant ce jour pris en considération un Acte des Etats de l'Île d'Auregny en date du onze juin 1948 par lequel il paraît que Monsieur Reginald Alfred Cleal un des Jurés Justiciers de la dite Île, a présenté une requête aux Etats de la dite Île les suppliant de lui permettre de résigner la dite charge à cause de sa mauvaise santé et que les dits Etats y ont consenti:

La Cour, ouïes les conclusions de Monsieur le Procureur du Roi, a accordé la demande du dit Monsieur Reginald Alfred Cleal lui réservant les honneurs, droits et privilèges accoutumés en pareil cas, et est ordonné qu'on procédera de suite à une nouvelle élection de Juré Justicier à la place du dit Monsieur Reginald Alfred Cleal.

Et est Monsieur le Greffier du Roi prié de transmettre copie du présent Acte à la Cour de l'Île d'Auregny.

*The 28th day of August, 1948, before Quartier Le Pelley, Esquire, Lieutenant Bailiff; present, etc.:*

**The 1947 Cadastre (Coming into force and consequential repeals) Ordinance, 1948**

THE COURT, by virtue of the provisions of paragraph (2) of Article 2 and of Article 18 of the Cadastre Law, 1947, on the representation of the States Board of Administration and of the States Cadastre Committee, and having heard His Majesty's Comptroller, hereby:

1. declares that the date on which the Cadastre prepared under the provisions of the Cadastre Law, 1947, shall come into force, thenceforth remaining in force, shall be the 29th day of September, 1948, and

1948  
Repeals

2. orders that the Laws set out in the first column of the Schedule to this Ordinance shall on the 29th day of September, 1948, be repealed to the extent stated in the second column of that Schedule.

|  |   |
|--|---|
| <p>Loi relative au Cadastre Général de l'Île, registered on the records of this Island on the 15th November, 1919.</p>   | <p>Articles 4, 5, 6, 9, 10, 11, 12, 15, 16, 17, 18 and 20.</p>                                    |
| <p>Loi pour l'entretien des Rues de la Paroisse de St. Pierre Port et la reconstitution du Comité des Voies Publiques de l'Île, registered on the Records of this Island on the 13th December, 1919.</p> | <p>Article 4 (which relates to the payment of road tax on a frontage basis in certain cases).</p> |

*The 13th day of January, 1949, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present, etc.:*

**Ordinance of 1949 amending the Control of the Building and Allied Trades and of Building Materials Ordinance, 1945, (No. XXVII of 1945)**

THE COURT, on the representations of the States Housing Authority and in exercise of the powers vested in it by the Supplies and Services (Transitional Powers) (Guernsey) Order in Council, 1946, as a Competent Authority in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, and having heard His Majesty's Comptroller thereon, hereby orders:—

1. In section 10 of the Control of the Building and Allied Trades and of Building Materials Ordinance,

1945, (No. XXVII of 1945) (hereafter referred to as the "Principal Ordinance"), for the words "Ten Pounds" there shall be substituted the words "one hundred pounds".

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2. In paragraph (ii) of Section 11 of the Principal Ordinance the words "of rehabilitation" shall be deleted.

3. The whole of the Second Schedule of the Principal Ordinance shall be repealed and the following Schedule substituted therefor: —

*SECOND SCHEDULE*

To

The States Housing Authority,  
Hadsley House,  
Lefebvre Street,  
Guernsey.

I hereby declare that the following particulars concerning the business of..... (a)

carried on by..... (b)

are true and correct in all particulars: —

(a) State the type of business carried on.  
(b) State the grade name under which the business is carried on.

1. If the business is carried on by a Limited Liability Company, state the address of the Registered Office:

.....

2. If carried on by one person only, state his full name and private postal address: .....

.....

3. If carried on by a partnership, state the full name and private postal address of each of the partners: —

.....

.....

4. Give the postal address of the place (or principal place at which the business is carried on): —

.....

1949

5. State in detail the kind of work undertaken:—

6. In the case of an established business state how long the business has been in existence: .....(years). In the case of a new business, give particulars of experience in the building trade of yourself and your Partners (if any): .....

7. State the number of men employed:—

|                           | Tradesmen | Apprentices | Labourers |
|---------------------------|-----------|-------------|-----------|
| Bricklayers<br>and Masons |           |             |           |
| Carpenters ...            |           |             |           |
| Joiners .....             |           |             |           |
| Plasterers ...            |           |             |           |
| Plumbers ...              |           |             |           |
| Painters .....            |           |             |           |
| General<br>Labourers      |           |             |           |

8. State briefly the plant at your disposal, including concrete mixers, mortar mills:—

9. What workshops have you, and have you any power plant? If so, what? .....

10. Have you any transport? If so, what?

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11. Give the names and addresses of two persons to whom reference can be made as to your competence and financial standing in relation to the class of work you propose to undertake.

(1)

(2)

Signature.....(c) (c) If a Company

or a partnership to be signed by a Director or partner.

Date.....

*Le 29 janvier 1949, par devant Ambrose James Sherwill, écuyer, C.B.E., M.C., Baillif, présents, etc.:*

**Cimetière — Castel**

Sur le demande de Messieurs Nelson Alfred Ferbrache et Wilfred Tostevin, Connétables de la paroisse du Castel, suppliant la Cour leur permettre d'établir un Cimetière paroissial dans un morceau de terre situé au Nord et joignant au cimetière actuel de la dite paroisse et bordant la route qui mène au Presbytère suivant plan ci-annexé, La Cour, après qu'il a paru que les formalités voulues par la Loi ont été observées et après avoir entendu le rapport de l'Officier de Santé, ouies les conclusions des Officiers du Roi, a accordé la dite permission.

## APPENDICE

### COUR ROYALE

Assermentations de Baillifs, Lieutenants-Baillifs, Jurés-Justiciers, Officiers du Roi, et autres Officiers attachés à la Cour.

1932 - 1949

#### BAILLIFS

|  |                 |
|--|-----------------|
| Victor Gosselin Carey, écuyer                | 20 juillet 1935 |
| Ambrose James Sherwill, écuyer, C.B.E., M.C. | 1er mars 1946   |

#### LIEUTENANTS-BAILLIFS

|                                       |                 |
|---------------------------------------|-----------------|
| William de Prélaz Crousaz, écuyer     | 13 mai 1933     |
| Richard Francis McCrea, écuyer        | 8 juillet 1933  |
| John Roussel, écuyer                  | 26 février 1938 |
| Aylmer Mackworth Drake, écuyer        | 25 mai 1940     |
| Messire Abraham James Lainé, K.C.I.E. | 25 octobre 1940 |
| Quertier Le Pelley, écuyer            | 28 février 1948 |

#### LIEUTENANTS-BAILLIFS SUPPLEANTS

|                          |                 |
|--------------------------|-----------------|
| John Roussel, écuyer     | 4 juillet 1934  |
| Ernest de Garis, écuyer  | 26 février 1938 |
| Pierre de Putron, écuyer | 25 mai 1946     |

#### JURES JUSTICIERS

|                                       |                  |
|---------------------------------------|------------------|
| Aylmer Mackworth Drake, écuyer        | 11 février 1933  |
| John Leale, écuyer                    | 5 mai 1934       |
| James Frederick Carey, écuyer         | 17 janvier 1936  |
| Messire Abraham James Lainé, K.C.I.E. | 26 février 1938  |
| Dan Alfred Aubert, écuyer             | 6 mai 1939       |
| Arthur Falla, écuyer                  | 11 mai 1940      |
| Pierre de Putron, écuyer              | 7 septembre 1940 |
| Quertier Le Pelley, écuyer            | 6 octobre 1940   |
| Walter John Sarre, écuyer             | 27 décembre 1941 |
| Richard Henry Johns, écuyer, O.B.E.   | 6 juillet 1946   |
| William Robert Freake Clark, écuyer   | 23 novembre 1946 |
| Walter John Gavey, écuyer             | 21 juin 1947     |
| Ernest Francis Lainé, écuyer          | 24 avril 1948    |

## JUGE—CAUSES MATRIMONIALES

Henry James Casey, écuyer, M.B.E., M.C. 7 septembre 1946

## PROCUREURS DU ROI

Ambrose James Sherwill, écuyer 6 avril 1935  
 William Henry Arnold, écuyer 1er mars 1946

^  
 CONTRÔLES DU ROI

George John Proctor Ridgway, écuyer 21 août 1935  
 William Paterson Doyle, écuyer 14 mars 1946

## GREFFIERS DU ROI

Alfred John Roussel 12 juin 1939  
 Peter James Mauger 6 août 1946  
 James Ewald Le Page 19 juin 1948

## SERGENT DU ROI

Alfred Sebire 6 novembre 1945

## AVOCATS

Edward John Le Pelley, écuyer 16 juin 1934  
 Havilland Anthony Mackworth Drake, écuyer 27 juillet 1938  
 Percy James Ozanne, écuyer 21 septembre 1945  
 Peter Renouf Collas, écuyer 21 janvier 1946  
 Douglas William Manson Randell, écuyer 18 décembre 1948  
 Charles Keith Frossard, écuyer 29 janvier 1949

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