1965 No. 2165

INDUSTRIAL AND PROVIDENT SOCIETIES

The Industrial and Provident Societies (Channel Islands) Order 1965

Made - - - *22nd December* 1965

Coming into Operation *1st January* 1966

At the Court at Buckingham Palace, the 22nd day of December 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the power conferred upon Her by section 75 of the Industrial and Provident Societies Act 1965(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The Industrial and Provident Societies Act 1965 in its application to the Channel Islands shall have effect subject to the adaptations and modifications specified in the Schedule to this Order, that is to say, in its application to the Bailiwick of Jersey subject to those specified in Part I of the Schedule, and in its application to the Bailiwick of Guernsey subject to those specified in Part II thereof.

2. This Order may be cited as the Industrial and Provident Societies (Channel Islands) Order 1965 and shall come into operation on 1st January 1966.

W. A. Agnew.

SCHEDULE

PART I

JERSEY ADAPTATIONS AND MODIFICATIONS

1. Any reference to the county court or, in relation to civil proceedings, to a magistrate's court shall be construed, in relation to a case in which the sum in dispute does not exceed £100, as a reference to the Petty Debts Court, and, in any other case, as a reference to the Inferior Number of the Royal Court.

2. The reference in section 58(4) to a misdemeanour shall be construed as a reference to a *délit*.

3. All other offences shall be prosecuted summarily before the Police Court in all cases within the competence of that court, and in all other cases before the Inferior Number of the Royal Court.

4. All fines shall be paid to the officers who are by the law and practice of the Bailiwick entitled to receive the fines imposed by those courts respectively, and shall be paid by those officers to Her Majesty's Receiver General in the Bailiwick on behalf of the Crown.

5. In default of payment fines may be enforced in the same manner as fines paid in the Bailiwick to the Crown.

(a) 1965 c. 12.

6. An appeal shall lie in any case which admits of an appeal under the law for the time being in force in the Bailiwick and that law shall apply to any such appeal, but the decision of the Jersey Court of Appeal or of the Royal Court sitting as the Superior Number or as the Inferior Number as the case may be shall be final.

7. Any registered society whose registered office is situated in the Bailiwick may invest any part of its funds in any loans issued by the States of Jersey.

8. Where, on the death of a member of a registered society who is domiciled in the Bailiwick, any sum of money becomes payable by the society, that sum shall, subject to any nomination under section 23, be paid to the member's legal personal representative according to the law of the Bailiwick.

PART II

GUERNSEY ADAPTATIONS AND MODIFICATIONS

1. Any reference to the county court or, in relation to civil proceedings, a magistrate's court shall be construed as a reference, in the case of the Island of Guernsey, to the Royal Court sitting as an Ordinary Court or to the Magistrate's Court respectively, in the case of Alderney to the Court of Alderney and, in the case of Sark, to the Court of the Seneschal.

2. All offences shall be prosecuted and all fines shall be recovered summarily at the instance of Her Majesty's Attorney General for Guernsey, in the Island of Guernsey before the Magistrate's Court, in Alderney before the Court of Alderney and in Sark before the Court of the Seneschal. For the purposes of this paragraph the reference in section 58(4) to a misdemeanour shall be construed as a reference to an offence.

3. All fines shall be paid to Her Majesty's Receiver General in the Bailiwick and be carried by him to the account of the Crown Revenue.

4. An appeal shall lie in any case which admits of an appeal under the law for the time being in force in the Bailiwick and that law shall apply to any such appeal, but the decision of the Guernsey Court of Appeal or of the Royal Court sitting as a Full Court or as an Ordinary Court as the case may be shall be final.

5. Any registered society whose registered office is situated in the Bailiwick may invest any part of its funds in any loans issued by the States of Guernsey, the States of Alderney or the Chief Pleas of Sark.

6. Where, on the death of a member of a registered society who is domiciled in an Island of the Bailiwick, any sum of money becomes payable by the society, that sum shall, subject to any nomination under section 23, be paid to the member's legal personal representative according to the law of that Island.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order specifies the adaptations and modifications subject to which the Industrial and Provident Societies Act 1965 is to apply to the Channel Islands.