
STATUTORY INSTRUMENTS

1983 No. 1703

PROTECTION OF TRADING INTERESTS

JUDGMENTS

**The Protection of Trading Interests
Act 1980 (Guernsey) Order 1983**

Made - - - - 18th November 1983

Coming into Operation 1st January 1984

At the Court of Saint James, the 18th day of November 1983

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of November 1983, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, and in pursuance of section 8(8) of the Protection of Trading Interests Act 1980 and section 52(2) of the Civil Jurisdiction and Judgments Act 1982, by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Protection of Trading Interests Act 1980 (Guernsey) Order 1983 and shall come into operation on 1st January 1984.
2. In this Order, “Guernsey” means the Bailiwick of Guernsey and the territorial waters adjacent thereto.
3. It is hereby directed that the Protection of Trading Interests Act 1980(1) shall extend, with the exceptions, adaptations and modifications specified in the Schedule to this Order, to Guernsey.

(1) Section 7 was amended by section 38 of the Civil Jurisdiction and Judgments Act 1982.

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N.E. Leigh
Clerk of the Privy Council

SCHEDULE

Article 3

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE PROTECTION OF TRADING INTERESTS ACT 1980 AS EXTENDED TO GUERNSEY

General

1. For the words “Secretary of State”, wherever they occur, there shall be substituted the words “Advisory and Finance Committee of the States of Guernsey”.

Section 1

2.—(1) For the words “the United Kingdom”—

- (a) in the first place where they occur in section 1(1)(b);
- (b) in section 1(2); and
- (c) in the first place where they occur in section 1(3),

there shall be substituted the word “Guernsey”.

(2) The words “or Guernsey” shall be added at the end of—

- (a) section 1(1)(b); and
- (b) section 1(3).

(3) For section 1(4) there shall be substituted the following subsection:—

“(4) Any order made by the Committee under subsection (1) or (2) above shall be laid before a meeting of the States as soon as may be after the making thereof, and if at that meeting or at the next subsequent meeting the States resolve that the order be annulled, the order shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Committee of any new order.”.

Section 2

3.—(1) For the words “the United Kingdom”—

- (a) in both places where they occur in section 2(1); and
- (b) in section 2(5),

there shall be substituted the word “Guernsey”.

(2) After the words “the United Kingdom” in the first and third places where they occur in section 2(2) there shall be added the words “or Guernsey”.

Section 3

4.—(1) In section 3(2), for the words “the United Kingdom” in the second and third places where they occur there shall be substituted the word “Guernsey”.

(2) Section 3(3) and (4) shall be omitted.

(3) For section 3(5) there shall be substituted the following subsection:—

“(5) In subsection (1) above “the statutory maximum” has the same meaning as it has for the time being in that subsection as it has effect in England and Wales (that is to say, the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980).”.

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Section 4

5.—(1) In section 4, for the words “the United Kingdom” in the first and second places where they occur there shall be substituted the word “Guernsey”.

(2) In section 4, after the words “the Evidence (Proceedings in Other Jurisdictions) Act 1975” there shall be inserted the words “or under section 4 of the Service of Process and Taking of Evidence (Guernsey) Law 1957”.

Section 5

6.—(1) In section 5(1)—

(a) for the words “Part II of the Administration of Justice Act 1920” there shall be substituted the words “the Judgments (Reciprocal Enforcement) (Guernsey) Law 1957”; and

(b) for the words “the United Kingdom” there shall be substituted the word “Guernsey”.

(2) For section 5(5) there shall be substituted the following subsection:—

“(5) Any order made by the Committee under subsection (4) above shall be laid before a meeting of the States as soon as may be after the making thereof, and if at that meeting or at the next subsequent meeting the States resolve that the order be annulled, the order shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Committee of any new order.”.

(3) In section 5(6), for the words “passing of this Act”, there shall be substituted the words “coming into effect of this Act in Guernsey”.

Section 6

7.—(1) In section 6(1)(b), for the words “the United Kingdom or in a territory” there shall be substituted the words “the United Kingdom, Guernsey, or any other territory”.

(2) In section 6(1)(c) and (5), for the words “the United Kingdom” there shall be substituted the word “Guernsey”.

(3) In section 6(8), for the words “passing of this Act” there shall be substituted the words “coming into effect of this Act in Guernsey”.

Section 7

8.—(1) In section 7(1)—

(a) for the words “Her Majesty” in both places where they occur there shall be substituted the words “the States”;

(b) for the words “Order in Council” there shall be substituted the word “Ordinance”;

(c) for the words “the United Kingdom” there shall be substituted the word “Guernsey”; and

(d) for the words “the Order which” there shall be substituted the words “the Ordinance which”.

(2) In section 7(1A) for the words “Order in Council” there shall be substituted the word “Ordinance”.

(3) In section 7(2)—

(a) for the word “Order” there shall be substituted the word “Ordinance”; and

(b) there shall be added at the end the words “or of the Judgments (Reciprocal Enforcement) (Guernsey) Law 1957”.

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Section 8

9. Section 8(5), (6), (7) and (8) shall be omitted.

EXPLANATORY NOTE

This Order extends to the Bailiwick of Guernsey the Protection of Trading Interests Act 1980, with the exceptions, adaptations and modifications specified in the Schedule to the Order.