

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,172 of 29th JUNE, 1984.

I ASSENT,

DAVID WILLIAMS,

GOVERNOR.

29th June, 1984.



GIBRALTAR

No. 8 of 1984.

AN ORDINANCE to make miscellaneous amendments to various Ordinances.

ENACTED by the Legislature of Gibraltar.

Short Title and commencement.

1. (1) This Ordinance may be cited as the Law Revision (Miscellaneous Amendments) Ordinance, 1984.

(2) Section 3 (b) shall be deemed to have come into operation on the 19th day of December, 1983.

Law Revision (Miscellaneous Amendments) Ordinance, 1984.

(3) Section 7 shall be deemed to have come into operation, on the 31st day of December, 1983.

Amendment of cap. 10.

2. The Bills Exchange Ordinance is amended by repealing section 98 and substituting therefor the following section -

"Effect of non- business days on bills.

98. (1) All bills of exchange and promissory notes which are due and payable on any non-business day shall be payable, and in case of non-payment may be noted and protested, on the next following day, and not on such nonbusiness day; and any such noting or protesting shall be as valid as if made on the day on which the bill or note was made due and payable; and for all purposes of this Ordinance the day next following a non-business day shall mean the next following day on which a bill of exchange may be lawfully noted or protested.

(2) When the day on which any notice of dishonour of an unpaid bill of exchange or promissory note should be given, or when the day on which a bill of exchange or promissory note should be presented or received for acceptance, or accepted, or forwarded to any referee or referees, is a non-business day, such notice of dishonour shall be given, and such bill of exchange or promissory note shall be presented or forwarded, on the day next following such non-business day."

Amendment of Cap. 37.

3. The Criminal Offences Ordinance is amended by repealing: -

(a) Section 117 (2) (a);

(b) Section 244 (1) (2).

Amendment of Cap 38.

4. The Crown Proceedings Ordinance is amended by repealing Section 9 (1) and substituting therefor the following subsection -

"Saving in respect of acts done under Prero gative and statutory powers (Sec. 11).

Law Revision (Miscellaneous Amendments) Ordinance, 1984.

98(1) Nothing in Part I of this Ordinance shall extinguish or abridge any powers or authorities which, if this Ordinance had not been passed, would have been exercisable by virtue of the prerogative of the Crown, or any or authorities conferred on the Crown powers by any statute, and, in particular, nothing in the said Part I shall extinguish or abridge any powers or authorities exercisable by the Crown, whether in time of peace or of war, for the purpose of the defence of the United Kingdom or of Gibraltar or of training, or maintaining the efficiency of, any of the armed forces of the Crown."

Amendment of Cap. 96.

5. The Maintenance Ordinance is amended by repealing Section 63 (2) and substituting therefor the following sub-section -

"(2) The magistrates' court shall not entertain any application under subsection (1) of this section unless both the parties to the agreement are resident in Gibraltar, and shall not have power to make any order on such an application except -

- (a) in a case where the agreement includes no provision for periodical payments by either of the parties, an order inserting provision for the making by one of the parties of periodical payments -
 - (i) for the maintenance of the other party of such sums as the court considers reasonable in all the circumstances of the case;
 - (ii) for the maintenance of any child of the marriage, of such sums as the court thinks reasonable having regard to the means of the parties;
- (b) in a case where the agreement includes provision for the making by one of the parties of periodical payments an order increasing, reducing or terminating any of those payments."

Amendment of Ord. No. 45 of 1983.

6. Section 17(d) of the Criminal Offences (Amendment) Ordinance, 1983 is repealed.

Law Revision (Miscellaneous Amendments) Ordinance, 1984.

Amendment of Ord. No. 48 of 1983.

7. The Law Revision (Miscellaneous Amendments) (No. 2) Ordinance, 1983 is amended by repealing the Schedule thereto and substituting therefor the following:

"SCHEDULE

<i>Section</i>	<i>Present Sum</i>	<i>Future sum</i>	Section 10
		£	
157	50	500	
180(2)	50	200	
241(1)(b)	50	200	
(c)	25	200	
(d)	100	500	
246(2)	20	200	
247(1)(d)	10	50	
(e)	10	50	
283(1)(c)	50	500	

Passed by the Gibraltar House of Assembly on the 27th day of June, 1984.

P. A. GARBARINO,

Clerk to the Assembly.