

# THE ROYAL COURT

## APPLICANTS IN PERSON

October 2019

Royal Court House  
St James Street  
St Peter Port  
Guernsey  
GY12NZ

[www.guernseyroyalcourt.gg](http://www.guernseyroyalcourt.gg)



THE ROYAL COURT  
OF GUERNSEY

## LES TERRES MISES A L'AMENDE

As an owner or occupier of land you may apply to the Royal Court for permission to declare the said land as Terres Mises a l'Amende. This gives you the right to request a petty debt summons be served upon an individual or entity who is deemed to have trespassed and who does not pay the "fine" upon receipt of the ticket for the maximum sum of £50.

### **What do I need to do?**

To make an application for land to be classified as Terres Mises a l'Amende you will need to complete and submit the Cause Form and the Notice Form (enclosed within this leaflet) either in person at the Greffe counter or by post, along with payment of the relevant fees. An explanation of the fees is also enclosed within this leaflet.

Please note that forms can also be obtained on the Royal Court website: [www.guernseyroyalcourt.gg](http://www.guernseyroyalcourt.gg) .

Should you require legal advice please refer to an advocate.



RESULT OF APPLICATION  
[For office use only]

**TERRES MISES A L'AMENDE**

**APPLICATION FORM**

Name and address of Applicant(s)

.....  
.....

as owner(s)/occupier(s) of premises comprising a building/dwellinghouse/flat/area of land known as  
..... in the parish  
of..... which said premises are shown outlined in red on the plan  
attached hereto and deposited at the Greffe this day;

**APPLIES TO THE COURT**

Under the provisions of the Ordinance relating to Terres Mises à l'Amende of the 16<sup>th</sup> day of January, 1786, as amended for:-

- (1) the making of an Order in favour of the Applicant whereby any person trespassing upon the said premises shall be liable to prosecution; and
- (2) permission to publish notices on two occasions in La Gazette Officielle of this Island of a notice to the effect that trespassers upon the said premises outlined in red on the said plan are liable to pay a penalty of not exceeding £50 payable to the Applicant.

Reason for the application being made (reasons may be given on a separate A4 sheet if more space is required)

.....  
.....  
.....  
.....

I confirm that I will attend the Royal Court at 9.30 am on Friday ..... day of ..... 20 ...

Signed: ..... (Applicant)

Name..... Telephone number .....

Date: .....

When processing your personal data, these offices are compliant with the Data Protection (Bailiwick of Guernsey) Law, 2017. For more information about how these offices process your personal data, please view the Fair Processing Notice available at the Royal Court Public Counter or on the Royal Court Website Homepage.

---

PLEASE NOTE: A draft Gazette Notice, a copy plan showing the location of the premises with the area for which the Terres à l'Amende application is being made outlined in red must be attached to this cause. Two complete sets of the papers must be lodged with the Greffe by 4pm on the Wednesday preceding the relevant Friday Court date. The minimum Court fee of £231 must be paid at the time of lodging (1). The applicant must attend Court at the time of the hearing.

---

(1) Further details are in the following Rules at [www.guernseylegalresources.gg](http://www.guernseylegalresources.gg)  
The Royal Court (Civil) Rules, 2007  
The Royal Court (Costs and Fees) Rules, 2018



<b>RESULT OF APPLICATION</b> [For office use only]
-------------------------------------------------------

TERRES MISES A L ' AMENDE

**CAUSE FORM – FORM C**

Name and address of Applicant(s)

.....  
 .....

as owner(s) of premises comprising a building/dwellinghouse/flat/area of land know as

..... in the parish

of..... which said premises are shown outlined in red on the plan attached hereto and deposited at the Greffe this day;

**APPLIES TO THE COURT**

Under the provisions of the Ordinance relating to Terres Mises à l'Amende of the 16<sup>th</sup> day of January, 1786, as amended for:-

- (1) the making of an Order in favour of the Applicant whereby any person trespassing upon the said premises shall be liable to prosecution; and
- (2) permission to publish notices on two occasions in La Gazette Officielle of this Island of a notice to the effect that trespassers upon the said premises outlined in red on the said plan are liable to pay a penalty of not exceeding £50 payable to the Applicant.

Signed: .....  
 (Applicant)

Date: .....

When processing your personal data, these offices are compliant with the Data Protection (Bailiwick of Guernsey) Law, 2017. For more information about how these offices process your personal data, please view the Fair Processing Notice available at the Royal Court Public Counter or on the Royal Court Website Homepage.

---

PLEASE NOTE: A draft Gazette Notice, a copy plan showing the location of the premises with the area for which the Terres à l'Amende application is being made outlined in red must be attached to this cause. Two complete sets of the papers must be lodged with the Greffe by 4pm on the Wednesday preceding the relevant Friday Court date. The minimum Court fee of £231 must be paid at the time of lodging (1).

---

(1) Further details are in the following Rules at [www.guernseylegalresources.gg](http://www.guernseylegalresources.gg)  
 The Royal Court (Civil) Rules, 2007  
 The Royal Court (Costs and Fees) Rules, 2018

## NOTICE

NOTICE is hereby given that by Act dated.....day of ..... 20..... the Royal Court granted permission to ..... to publish a notice in “La Gazette Officielle” of this Island to the effect that trespassers on those parts of premises known as ..... situate at ..... in the parish of ..... (this area being shown outlined in red on the plan deposited at the Greffe on the.....day of..... 20... ) are liable to prosecution in accordance with the Ordinance relating to Terres mises à l’Amende of 16<sup>th</sup> January, 1786, as amended.

This                      day of                      20

Two insertions:-

Friday (date)

Friday (date)

(No.XVIII – 1991)

(Made on the 29<sup>th</sup> May, 1991)

### **The Ordinance relating to les Terres mises à l'Amende**

THE STATES, in pursuance of their Resolution of 28<sup>th</sup> September, 1989(a), hereby order:-

#### Penalties in respect of les terres mises à l'amende

1.(1) The maximum penalty recoverable pursuant to the Ordinance relating to Terres mises à l'Amende of 16<sup>th</sup> January, 1786(b) ("the Ordinance of 1786") is £50.

(2) The sum of £50 shall be recoverable notwithstanding that a lesser sum may appear on any sign or notice erected in pursuance of the Ordonnance par rapport aux Terres mises à l'Amende of 29<sup>th</sup> October, 1938 ("the Ordinance of 1938").

(3) The enhanced penalty provided for in subsection (1) shall only be recoverable in respect of trespasses committed after the commencement of this Ordinance.

#### Consequential amendments

2. In the Ordinance of 1786 and in the Ordinance of 1938 for "vingt-cinq" substitute "cinquante".

#### Interpretation

3. Reference in this Ordinance to an enactment are references to the enactment as amended.

#### Citation

4. This Ordinance may be cited as the Ordinance relating to les Terres mises à l'Amende, 1991.

#### Commencement

5. This Ordinance shall come into force on 1<sup>st</sup> June, 1991.



## Guernsey Court Fees

Name of Case:	
Service of a summons, notice or document in any proceedings other than for recovery of a sum of money.	N/A
Service of a summons, notice or document in proceedings for recovery of a sum of money.	N/A
First and each subsequent tabling of a cause, application or petition, filing of defences, and interlocutory applications.	
a) in proceedings for the recovery of a sum of money.	N/A
b) in proceedings relating to Terres Mises A L'Amende	£231.00
Proceedings before the Court requiring a hearing (up to 1 hour). (Exceeding one hour double the appropriate fee specified per hour or part thereof).	£231.00 (or £462.00 per hour or part thereof)
Lodging of Affidavits	£60.00
Filing of Documents (Matrimonial Causes)	N/A

I have been shown the schedule of fees set out in the Cost and Fees Rules relevant to my application, which is available on the [www.guernseylegalresources.gg](http://www.guernseylegalresources.gg) website, and I understand that I will be charged for each application I make and the cost of the court hearing and other applicable fees.

Signed..... Date.....

Full name..... Telephone number (W) .....

E-mail address .....

**PLEASE COMPLETE AND SIGN BOTH PAGES OF THIS DOCUMENT AND RETURN TO THE GREFFE TO ENABLE A COURT FEE ACCOUNT TO BE OPENED IN THE NAME OF THE APPLICANT. FAILURE TO DO SO MAY RESULT IN THE APPLICATION NOT BEING HEARD BEFORE THE COURT.**

**SECTION A - Where the applicant is an individual**

Title: Mr/Mrs/Miss .....

Surname .....

First name(s) .....

Middle name(s) .....

Maiden name .....

Date of birth .....

Address (including post code): .....

.....

Home telephone number .....

**SECTION B - Where the Applicant is a company**

Company name .....

Company address (including post code) .....

.....

Main (business) telephone number .....

E-mail address .....

Correspondence address (if different to address given above) .....

.....

Directors of the Company .....

.....

Company Registration Number .....

I CERTIFY THAT THE ABOVE DETAILS ARE ACCURATE TO THE BEST OF MY KNOWLEDGE

Signed..... Date.....

Full name..... Contact telephone number .....

E-mail address .....

When processing your personal data, these offices are compliant with the Data Protection (Bailiwick of Guernsey) Law, 2017. For more information about how these offices process your personal data, please view the Fair Processing Notice available at the Royal Court Public Counter or on the Royal Court Website Homepage.