

ORDER IN COUNCIL

XX
1989

ratifying a Projet de Loi

ENTITLED

The Police Offences (Bailiwick of Guernsey) Law, 1989

(Registered on the Records of the Island of Guernsey
on the 5th December, 1989.)



1989

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 5th day of December, 1989 before Sir Charles Frossard, Kt., Bailiff; present:— Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 1st November, 1989 approving and ratifying a *Projet de Loi* of the States of Guernsey entitled "The Police Offences (Bailiwick of Guernsey) Law, 1989", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered:—

1. That the said Order in Council be registered on the records of this Island; and
2. That an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 1st day of November 1989

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 25th day of October 1989 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

‘1. That, in pursuance of their Resolution of the 29th day of September 1988, the States of Deliberation at a meeting held on the 29th day of March 1989 approved a Bill or “Projet de Loi” entitled “The Police Offences (Bailiwick of Guernsey) Law, 1989”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Police Offences (Bailiwick of Guernsey) Law, 1989”, and to order that the same shall have force of law in the Bailiwick of Guernsey.’

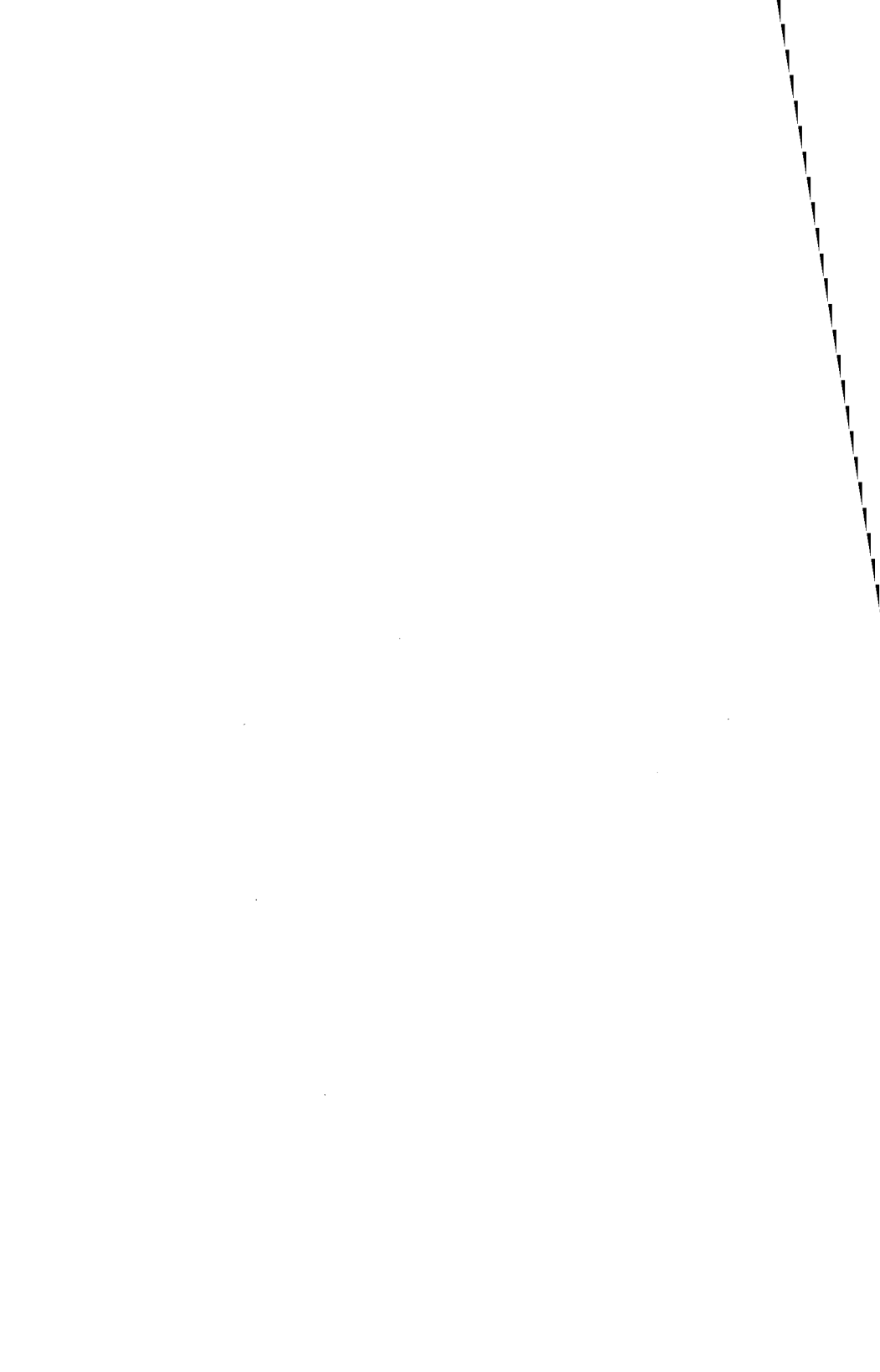
“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have force of Law within the Bailiwick of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant-Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G. I. de Deney.



PROJET DE LOI

ENTITLED

The Police Offences (Bailiwick of Guernsey) Law, 1989

THE STATES, in pursuance of their Resolution of the 29th day of September, 1988, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

1. Where a person causes any wasteful employment of an officer of police by knowingly making to any person a false report tending to show that an offence has been committed, or to give rise to apprehension for the safety of any persons or property, or tending to show that he has information material to any police enquiry, he shall be liable on conviction to imprisonment for not more than three months or to a fine of not more than level 5 on the uniform scale or to both.

Wasting
police time.

2. (1) Any person who with intent to deceive impersonates an officer of police or makes any statement or does any act calculated falsely to suggest that he is such an officer, shall be guilty of an offence and liable on conviction to imprisonment for not more than three months or to a fine of not more than level 5 on the uniform scale or to both.

Impersonation etc. of the police.

(2) Any person who, not being an officer of police wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of an officer of police as to be

calculated to deceive shall be guilty of an offence and liable on conviction to a fine of not more than level 3 on the uniform scale.

(3) Any person who, not being an officer of police (including a special constable), has in his possession any article of police uniform shall, unless he proves that he obtained possession of that article lawfully and has possession of it for a lawful purpose shall be guilty of an offence and liable on conviction to a fine of not more than level 2 on the uniform scale.

(4) In this section "article of police uniform" means any article of uniform or any distinctive badge or mark or identification document usually issued to an officer of police or anything having the appearance of such an article, badge, mark or document.

3. In this Law "officer of police" means—

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to the Island of Alderney, a member of the said salaried police force, a member of any police force which may be established by the States of Alderney and, within the limits of his jurisdiction, a special constable appointed by the Court of Alderney under section 15 of the Government of Alderney Law, 1987(a);

(a) Order in Council No. IV of 1987.

(c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.

4. This Law may be cited as the Police Offences Citation. (Bailiwick of Guernsey) Law, 1989.

K. H. TOUGH,
Her Majesty's Greffier.