

Island of



Guernsey

Ordinance of the States

XLII
2010

Made27th October, 2010

Coming into Operation.....27th October, 2010

The Child Protection (Amendment) (Guernsey) Ordinance, 2010

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THE STATES, in pursuance of their Resolution of the 27th May, 2010^a, and in exercise of the powers conferred on them by section 34(4) of the Child Protection (Guernsey) Law, 1972^b, section 1 of the Alderney (Application of Legislation) Law, 1984^c, section 123 of the Children (Guernsey and Alderney) Law, 2008^d and all other powers enabling them in that behalf, hereby order:-

Amendment of Law of 1972.

1. The Law of 1972 is amended as follows.

2. In section 1(1) of the Law of 1972, immediately after the definition of "**place of safety**", insert the following definition -

"prescribed" means prescribed by regulations made by the Board;"

3. Immediately after section 15(3) of the Law of 1972, insert the following subsection -

^a Article IX of Billet d'État No. XI of 2010.

^b Ordres en Conseil Vol. XXIII, p. 238; Vol. XXXVII, p. 45; Order in Council No. III of 2001 and Recueil d'Ordonnances Tome XXVIII, p. 295.

^c Ordres en Conseil Vol. XIII, p. 448; Vol. XVI, pp. 124 and 126; Vol. XXIV, p. 210; Vol. XXIX, p. 299; Vol. XXXVII, p. 251 and Recueil d'Ordonnances Tome XXXII, p. 504.

^d Order in Council No. XIV of 2009 as amended by Ordinance No. XI of 2009.

"(3A) The Board need not consider an application for registration under subsection (3) unless it is accompanied by such fee as may be prescribed under subsection (1) of section 16A."

4. Immediately after section 16 of the Law of 1972, insert the following sections -

"Power to prescribe registration fees.

16A. (1) The Board may by regulation prescribe fees payable to the Board -

(a) upon application for registration under section 15,

(b) upon such anniversary of any registration under section 15, or other event, as may be prescribed, and

(c) in connection with such other matter under this Law, as may be prescribed.

(2) Regulations under subsection (1) may prescribe the persons by whom a fee is payable.

(3) A fee prescribed under subsection (1) is recoverable from the person by whom it is payable as a civil debt due to the States.

Regulations under section 16A.

16B. (1) Regulations under section 16A -

- (a) may be amended or repealed by subsequent regulations thereunder,
- (b) may contain such consequential, incidental, supplemental and transitional provision as may appear to the Board to be necessary or expedient, and
- (c) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

(2) The power conferred under section 16A to make regulations may be exercised -

- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,
- (b) so as to make, as respects the cases in relation to which it is exercised -
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),

- (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes,
- (iii) any such provision either unconditionally or subject to any conditions specified in the regulations."

5. Immediately after section 19(1)(b) of the Law of 1972, insert the following -

"or

- (c) it appears to the Board that such fee as may be prescribed under subsection (1) of section 16A in respect of a registration under this Law has not been paid when due;"

Interpretation.

6. (1) In this Ordinance the "**Law of 1972**" means the Child Protection (Guernsey) Law, 1972.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Amendments to Law of 1972 to have effect in Alderney.

7. The amendments made by this Ordinance to the Law of 1972, as that Law has effect in Alderney^e, are extended to Alderney.

Citation.

8. This Ordinance may be cited as the Child Protection (Amendment) (Guernsey) Ordinance, 2010.

Commencement.

9. This Ordinance shall come into force on the 27th October, 2010.

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

^e The Law of 1972 was extended to Alderney subject to modifications: see Recueil d'Ordonnances Tome XXVIII, p. 295

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