

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

**The Control of Intoxicating Liquor (Designated Public
Places) Ordinance, 2007 ***

[CONSOLIDATED TEXT]

NOTE

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* No. IX of 2007 (Recueil d'Ordonnances Tome XXXII, p. 83); as amended by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207).

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ARRANGEMENT OF SECTIONS

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(Made on 29th April, 2007.)

The Control of Intoxicating Liquor (Designated Public Places) Ordinance, 2007

THE STATES, in pursuance of their Resolution of the 27th October, 2005^a, and in exercise of the powers conferred on them by sections 1 and 3 of the Control of Intoxicating Liquor (Enabling Provisions) (Guernsey) Law, 2006 and all other powers enabling them in that behalf, hereby order: –

Alcohol consumption or possession in designated public places.

1. (1) Any person who consumes intoxicating liquor or has intoxicating liquor in his possession (other than in a sealed container) in a designated public place commits an offence and is liable on summary conviction to a fine not exceeding level 1 on the uniform scale.

(2) Subsection (3) applies if a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor in a designated public place or intends to consume intoxicating liquor in such a place.

(3) The police officer may require the person concerned to surrender anything in his possession which is, or which the police officer reasonably believes to be, intoxicating liquor or a container for such liquor.

(4) Subsection (3) does not apply to intoxicating liquor in a sealed container unless the police officer reasonably believes that the person concerned intends to consume the liquor in a designated public place.

(5) A police officer may dispose of anything surrendered to him

^a Article I of Billet d'État No. XVI of 2005.

under subsection (3) in such manner as he considers appropriate.

(6) A person who fails without reasonable excuse to comply with a requirement imposed on him under subsection (3) commits an offence and is liable on summary conviction to a fine not exceeding level 1 on the uniform scale.

(7) A police officer who imposes a requirement on a person under subsection (3) shall inform the person concerned that failing without reasonable excuse to comply with the requirement is an offence.

(8) A police officer may arrest without warrant any person whom he reasonably believes to have committed an offence under this section.

Designated public places.

2. (1) A place is, subject to section 3, a designated public place if it is identified in an order made by the [Committee for Home Affairs] ("the [Committee]") under subsection (2).

However, a place is only a designated public place during the hours and days specified under subsection (3).

(2) The [Committee] may by order identify any public place if it is satisfied that –

(a) nuisance or annoyance to members of the public or a section of the public, or

(b) disorder,

has been or is likely to be associated with the consumption of intoxicating liquor in that place.

- (3) An order under subsection (2) shall specify –
- (a) the hours of the day, and
 - (b) the days of the year,

for which the order is to have effect in respect of any place.

NOTES

In section 2, the words, first, "Committee for Home Affairs" and, second "Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 2, Schedule 1, paragraph 6(a) and section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

The following Orders have been made under section 2:

Control of Intoxicating Liquor (Designated Public Places) (State Funeral – Saumarez Park) Order, 2022;

Control of Intoxicating Liquor (Designated Public Places) (Bus Terminus) Order, 2025 (comes into operation on 1st November, 2025 and expires midnight on 31st October, 2026);

Control of Intoxicating Liquor (Designated Public Places) (Church Square) Order, 2025 (comes into operation on 1st November, 2025 and expires midnight on 31st October, 2026).

Orders are frequently made under section 2 that are in force for a short period of time only; searching the Guernsey Legal Resources website for "designated public places" or "intoxicating liquor" in "Statutory Instruments" in advanced search should retrieve these, in the event they need to be consulted.

Places which are not designated public places.

3. A place is not a designated public place or part of such a place if it is –
- (a) licensed premises within the meaning of the Liquor

Licensing Ordinance, 2006^b other than premises to which a general off-licence relates,

- (b) a place within the curtilage of such licensed premises,
- (c) a place which may be used for the supply of intoxicating liquor or which could have been so used within the last twenty minutes by virtue of an occasional liquor permit within the meaning of the Liquor Licensing Ordinance, 2006, or
- (d) a place where facilities or activities relating to the sale or consumption of intoxicating liquor are for the time being permitted by virtue of an al fresco licence granted under the Public Highways (Temporary Closure) Ordinance, 1999.

Interpretation.

4. (1) In this Ordinance –

"[**Committee**]" means the [Committee for Home Affairs],

"**designated public place**" has the meaning given by section 2,

"**intoxicating liquor**" has the meaning given by the Liquor Licensing Ordinance, 2006,

"**police officer**" means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the

^b Ordinance No. V of 2006.

special constabulary of the Island of Guernsey,

"public place" means any place to which the public has access, whether on payment or otherwise,

"uniform scale" means the uniform scale of fines for the time being in force under the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989.

(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.

NOTES

In section 4, the words in the first and second pairs of square brackets in the definition of the expression "Committee" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 7 and section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016.

The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.

Extent.

5. This Ordinance has effect in the islands of Guernsey, Herm and Jethou.

Citation.

6. This Ordinance may be cited as the Control of Intoxicating Liquor (Designated Public Places) Ordinance, 2007.

Commencement.

7. This Ordinance shall come into force on the day of registration of the Control of Intoxicating Liquor (Enabling Provisions) (Guernsey) Law, 2006.

NOTE

The Control of Intoxicating Liquor (Enabling Provisions) (Guernsey) Law, 2006 was registered on the Records of the Island of Guernsey on 3rd May, 2007.
