

Island of  Guernsey

**Ordinance of the States**

**XII  
2005**

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Made .....	29th April, 2005
Coming into operation .....	12th May, 2005
Laid before the States .....	29th June, 2005

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**The Emergency Powers  
(Forms of Oath) Ordinance, 2005**

## **The Emergency Powers (Forms of Oath) Ordinance, 2005**

**THE STATES LEGISLATION SELECT COMMITTEE**, in pursuance of the Resolution of the States of the 30<sup>th</sup> March, 2005<sup>a</sup>, and in exercise of the powers conferred on the States by section 2B of the Emergency Powers (Bailiwick of Guernsey) Law, 1965, as amended<sup>b</sup> (and all other powers enabling them in that behalf) and on the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948<sup>c</sup>, hereby orders:-

### **Forms of oath or affirmation.**

1. The oath or affirmation required to be taken before the Bailiff under the Emergency Powers Law -

- (a) by a member (permanent or ad hoc) or officer of the Emergency Powers Authority, or by a person who attends any meeting of the Authority as a government representative, is the oath or affirmation set out in Part I of the Schedule,
- (b) by any other person performing any task in the course of which he may obtain access to the official records

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<sup>a</sup> Article I of Billet d'État No. III of 2005.

<sup>b</sup> Ordres en Conseil Vol. XX, p. 6; amended by Vol. XXXI, p. 154, No. XIV of 2001 and the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005; and also amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003).

<sup>c</sup> Ordres en Conseil Vol. XIII, p. 288; there are amendments not material to this Ordinance.

of the Authority, is the oath or affirmation set out in Part II of the Schedule.

**Interpretation.**

2. In this Ordinance, including the Schedule -

"**Authority**" means the Emergency Powers Authority,

"**Bailiff**" means the Bailiff, Deputy-Bailiff, Lieutenant-Bailiff or Juge Délégué,

"**Emergency Powers Law**" means the Emergency Powers (Bailiwick of Guernsey) Law, 1965, as amended<sup>d</sup>,

"**government representative**" means a person who represents the States of Guernsey, the States of Alderney or the Chief Pleas of Sark,

"**member of the Authority**" includes its Chairman,

"**officer of the Authority**" means a person employed, contracted or retained by the States who is responsible to the Authority,

"**official records of the Authority**" means any information under the control of the Authority and acquired or compiled in the course of the performance of the Authority's functions under the Emergency Powers Law.

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<sup>d</sup> Ordres en Conseil Vol. XX, p. 6; amended by Vol. XXXI, p. 154, No. XIV of 2001 and the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005; and also amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003).

**Citation.**

3. This Ordinance may be cited as the Emergency Powers (Forms of Oath) Ordinance, 2005.

**Commencement.**

4. This Ordinance shall come into force on the day of registration of the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005 on the records of the Island of Guernsey.

SCHEDULE

Section 1

FORMS OF OATH

PART I

FORM OF OATH OR AFFIRMATION FOR MEMBERS & OFFICERS  
OF AUTHORITY & GOVERNMENT REPRESENTATIVES

"You swear and promise on the faith and truth that you owe to God [or "*You promise*"] that you will impartially and to the best of your ability execute the duties of member [or "*officer*", or "*government representative*"] of the Emergency Powers Authority.

That you will exercise the powers entrusted to you under the Emergency Powers Law and as member [or "*officer*", or "*government representative*"] of the Emergency Powers Authority only as appears necessary to you for the due execution of your duties.

That you will not disclose any document or information available to you under the Emergency Powers Law or as member [or "*officer*", or "*government representative*"] of the Emergency Powers Authority, except in the performance of your duties, or to persons who have also taken an oath or affirmation under that Law, or for the purposes of a prosecution for an offence arising under that Law (or any order or regulation made under it), or in any other case required by law."

PART II

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY OTHER PERSONS  
HAVING ACCESS TO THE AUTHORITY'S OFFICIAL RECORDS

"You swear and promise on the faith and truth that you owe to God [or "*You promise*"] that you will not disclose any document or information received by you in the execution of any task that you may be asked to undertake for the Emergency Powers Authority except to persons who have also taken an oath or affirmation under the Emergency Powers Law, or for the purposes of a prosecution for an offence arising under that Law (or any order or regulation made under it), or in any other case required by law."