
(No. XLVII—1990)

(Made on the 13th December, 1990.)

**The Prison (Regulation of Access) Ordinance,
1990**

THE STATES, in pursuance of their Resolution of the 10th day of October, 1990, and on the representations of the States Prison Board, hereby order:—

Interpretation

1. In this Ordinance, unless the context otherwise requires—
“the Plan” means the plan which for the purpose of this Ordinance has been signed by the Bailiff on the 12th day of December, 1990 and lodged at the Greffe;

“the prison site” means the premises, shown for the purposes of identification outlined in red on the Plan, comprising land and buildings constructed thereon forming the States Prison together with the road giving access thereto, the whole situate at Baubigny in the Parish of St. Sampson;

“vehicle” means a mechanically propelled vehicle, a trailer, an animal drawn vehicle, a bicycle or a tricycle.

Prohibition on access to prison site without lawful authority or reasonable excuse

2. (1) Any person who, without lawful authority or reasonable excuse, is found, or leaves a vehicle, in or upon that area of the prison site—

(a) coloured in green on the Plan; or

(b) coloured in yellow on the Plan;

shall be guilty of an offence.

(2) A person guilty of an offence under paragraph (a) of subsection (1) of this section shall be liable on conviction to a fine not exceeding level 3 on the uniform scale or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(3) A person guilty of an offence under paragraph (b) of subsection (1) of this section shall be liable on conviction to a fine not exceeding level 1 on the uniform scale.

Burden of proof

3. Where a person charged with any offence under this Ordinance claims as a defence thereto that he had lawful authority or reasonable excuse to be, or to leave a vehicle, as the case may be, in or upon the prison site, the burden of proving such a defence shall be discharged by that person.

Citation

4. This Ordinance may be cited as the Prison (Regulation of Access) Ordinance, 1990.