

Island of  Guernsey

Ordinance of the States **X**
1993

Made 30th June, 1993.
Came into operation 30th June, 1993.

The Special Constabulary (Amendment) Ordinance, 1993

THE STATES, in pursuance of their Resolutions of the 26th September, 1991(a) and 25th November, 1992(b) hereby order:-

Amendments to Ordinances.

1. (1) The Special Constabulary Ordinances 1950 to 1985(c) are amended as follows -

(a) Section 3 is repealed and the following substituted -

(a) On Article XXV of Billet d'Etat No.XXIII of 1991.

(b) On Article XI of Billet d'Etat No.XXI of 1992.

(c) Recueil d'Ordonnances. Tome X, p.78; Tome XIX, p.103; Tome XXIII pp.81 and 303.

"Composition.

3. The Constabulary shall consist of three Divisions hereby designated "Division A", "Division B" and "Division C" respectively.;

- (b) Section 6(1) is repealed and the following substituted -

"Division B - Duties and Oath.

(1) Every member of Division B shall be appointed to perform in this Island the like duties as are from time to time performed by the members of the Island Police Force. The appointment of any such member shall not be effective until an oath or affirmation in the following form shall have been taken or made by him before the Bailiff or a Jurat of the Royal Court:-

Form of oath (or affirmation).

"I swear and promise to our Sovereign Lady the Queen and upon the faith and truth I owe to God (solemnly and sincerely declare and affirm to our Sovereign Lady the Queen) that well and faithfully I will discharge the office of Special Constable when on duty in accordance with instructions lawfully issued to me."

- (c) The following additional section is inserted -

"Division C - Duties and Oath.

6A(1) Division C shall consist of the persons nominated from time to time by any Committee or department of the States of Guernsey and approved as Special Constables by the Chief Officer of Police and who have taken the oath prescribed in subsection (3) and have not ceased to hold the office of Special Constable.

(2) The functions of a Special Constable of Division C shall be -

(a) (i) in respect of persons employed by the States Committee for Home Affairs, to discharge such duties as are normally performed by members of the Island Police Force in connection with the control and regulation of traffic (including foot passengers) or vehicles and to discharge any other functions normally undertaken by the Island Police Force in connection with the control and regulation of traffic (including foot passengers) or vehicles;

- (ii) in respect of persons employed by the States of Guernsey and having responsibility for school crossings or the control of places on the public highway where children cross roads on their way to and from school or from one part of school premises to another, to discharge such duties in the course of their employment on the public highway as are described in sub-paragraph (iii);
- (iii) the duties referred to in sub-paragraph (ii) comprise the power to control the movement of traffic on the public highway, which will include causing a moving vehicle to stop, or a stationary vehicle to move generally or to some specific place;
- (iv) in respect of persons employed by the States of Guernsey and authorised in that behalf by any Committee or department thereof, to discharge such duties

conferred by law in relation to the facilitation of the movement on the public highway of vehicles which exceed length, width or weight restrictions, or those bearing abnormal loads which are deemed to require escort.

- (3) The form of oath (or affirmation) for Special Constables of Division C shall be -

Form of oath (or affirmation).

"I swear and promise to our Sovereign Lady the Queen and upon the faith and truth I owe to God (do solemnly and sincerely declare and affirm to our Sovereign Lady the Queen) that well and faithfully I will discharge the office of Special Constable within the limits of the jurisdiction conferred by my employment when on duty in accordance with instructions lawfully issued to me."

- (d) In sections 9 and 11 insert the words "or Division C" immediately after "Division A", wherever those words appear.

Citation.

2. This Ordinance may be cited as The Special Constabulary (Amendment) Ordinance, 1993.

A. G. LE CHEMINANT,
Her Majesty's Deputy Greffier