

ORDER IN COUNCIL

IV
2006

ratifying a Projet de Loi

ENTITLED

**The Misuse of Drugs
(Bailiwick of Guernsey)
(Amendment) Law, 2005**

(Registered on the Records of the Island of Guernsey
on the 13th March, 2006.)



2006

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 13th day of March, 2006 before John Russell Finch, Esquire, Lieutenant Bailiff;
present: - David Charles Lowe, Derek Martin Le Page, Stephen Edward Francis Le
Poidevin, Alan Cecil Bisson, Keith Bichard, OBE, Esquires, The Reverend Peter
Gerald Lane, Michael Henry De La Mare, Michael John Tanguy, Esquires, Susan
Mowbray, and David Osmond Le Conte, Esquire, Jurats.*

The Lieutenant Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 14th day of February, 2006 approving and ratifying the *Projet de Loi* entitled “The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller thereon, ORDERED:-

1. That the said Order in Council be registered on the records of this Island and
2. That an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty’s Greffier to the Clerk of the Court of Alderney and to the S n schal of Sark for registration on the records of those Islands respectively.

At the Court at Buckingham Palace

The 14th DAY OF FEBRUARY 2006

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22 February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 26 February 2004, the States of Deliberation at a meeting on 29 June 2005 approved a Projet de Loi entitled The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law 2005 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the States of the Island of Alderney at a meeting held on 21 Septmeber 2005 considered the Project de Loi when a Resolution was passed agreeing to its application to Alderney. The the Chief Pleas of the Island of Sark at a meeting held on 5 October 2005 considered the Project de Loi when a Resolution was passed as agreeing to its application to Sark. That the Projet de Loi is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law 2005, and to order that it shall have force of law in the Islands of Guernsey, Alderney and Herm.

“The Committee have considered the Projet de Loi and have agreed to report that it may be advisable for Your Majesty to approve and ratify it.”

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the Projet de Loi (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Islands of Guernsey, Alderney and Herm and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

A. K. Galloway

PROJET DE LOI

ENTITLED

The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005

THE STATES, in pursuance of their Resolution of the 26th February, 2004^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendment to the law of 1974.

1. (1) The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended^b, is amended as follows.

(2) In the Third Schedule (prosecution and punishment of offences)^c -

(a) in the entries relating to sections 3(2), 3(3) and 4(3) (relating to production, supply and possession with intent to supply respectively), in the sixth column^d for

^a Article XII of Billet d'État No. II of 2004.

^b Ordes en Conseil, Vol. XXIV, p. 273; Vol. XXVIII, P. 307; Vol. XXXI, p.47; No. XIII of 1991; No. V of 1992; No. XVI of 1995 and No. III of 2000.

^c The Third Schedule was substituted by Ordres en Conseil Vol. XXXI, p. 47 and amended by No. XIV of 1995.

^d The sixth column states the punishment for Class C drugs.

“10 years” substitute “14 years”, and

- (b) in the entry relating to section 5(2) (relating to cultivation of cannabis), in the seventh column for “life” substitute “14 years”.

Citation.

- 2. This Law may be cited as the Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005.

S. M. SIMMONDS,
Her Majesty’s Deputy Greffier

**Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey**

PRICE £1.00