

Island of



Guernsey

Ordinance of the States

XXV
2011

Made.....28th September, 2011

Coming into Operation1st October, 2011

The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 (Amendment) Ordinance, 2011

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THE STATES, in pursuance of their Resolution of the 31st May, 2007^a and in exercise of the powers conferred on them by section 35 of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974^b, hereby order:-

Amendment of the 1974 Law.

1. The Third Schedule to the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 is amended as follows.

2. In each of the entries relating to sections 3(2), 3(3), 4(3), 7, 11(6) and 12(4) respectively, in the fifth column in relation to a prosecution on indictment (where a class B drug is involved), for the word "life", substitute the expression "21 years".

Interpretation.

3. (1) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Ordinance throughout the Bailiwick of Guernsey.

^a Article XX of Billet d'État No. XIV of 2007.

^b Ordres en Conseil Vol. XXIV, p. 273; as amended by Vol. XXVIII, p. 307; Vol. XXXI, pp. 47 and 278; Vol. XXXIII, p. 217; Vol. XXXIV, p. 172; Vol. XXXVI, p. 396; Vol. XL, pp. 34 and 131; Order in Council No. IV of 2006; No. XIII of 2006; Recueil d'Ordonnances Tome XX, p. 271; Tome XXII, p. 483; Tome XXIV, p. 477; Tome XXV, pp. 38 and 325; Tome XXIX, p. 406; G.S.I. No. 19 of 1997; G.S.I. No. 5 of 2004; G.S.I. No. 42 of 2006; G.S.I. No. 20 of 2008; G.S.I. Nos. 22, 33, 82 and 98 of 2010; see also Recueil d'Ordonnances Tome XXVII, p. 247.

^c Ordres en Conseil Vol. XIII, p. 355.

(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.

Transitional and savings provisions.

4. (1) This Ordinance has effect in relation to –
- (a) any offence committed on or after the commencement date, and
 - (b) any offence committed before the commencement date, if proceedings for that offence are commenced on or after that date.

(2) The maximum penalty to which an offender is liable for an offence committed before the commencement date must, in any proceedings commenced before the commencement date, be determined as if this Ordinance were not in force.

(3) In this section, "**the commencement date**" means the date specified in section 7 for this Ordinance to come into force.

Extent.

5. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

6. This Ordinance may be cited as the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 (Amendment) Ordinance, 2011.

Commencement.

7. This Ordinance shall come into force on the 1st October, 2011.

S.M.D. ROSS,
Her Majesty's Deputy Greffier.

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