

Island of



Guernsey

Ordinance of the States

XL
2008

Made26th November, 2008

The Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Ordinance, 2008

The Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Ordinance, 2008

THE STATES, in pursuance of their Resolution of the 27th September, 2006^a, and in exercise of the powers conferred on them by section 2(2) of the Prevention of Corruption (Bailiwick of Guernsey) Law, 2003^b, hereby order:-

Amendment to 2003 Law.

1. For section 2(1) of the Prevention of Corruption (Bailiwick of Guernsey) Law, 2003 substitute -

"(1) In this Law -

"agent" includes -

- (a) any person employed by or acting for another and,
- (b) without prejudice to the generality of paragraph (a), a person of any of the following descriptions -
 - (i) a member of the States of Guernsey, the States of Alderney or the Chief Pleas of Sark,

^a Article XIII of Billet d'État No. XVI of 2006.

^b Order in Council No. I of 2004.

- (ii) the Bailiff, the Deputy Bailiff or a Lieutenant-Bailiff,
- (iii) a Judge of the Court of Appeal,
- (iv) a Judge of the Royal Court,
- (v) a Judge or Deputy Judge of the Magistrate's Court,
- (vi) the Magistrate, any Assistant Magistrate or any Acting Magistrate,
- (vii) a Jurat of the Royal Court or any Juré-Justicier Suppléant,
- (viii) the President or Vice President of the States of Alderney,
- (ix) any Juge Délégué of Alderney or any person appointed under section 9 of the Government of Alderney Law, 2004^c,
- (x) a Jurat of the Court of Alderney,
- (xi) the Seigneur or any Deputy Seigneur of Sark,

^c Order in Council No. III of 2005

- (xii) the SÉNÉSCHAL, any Deputy SÉNÉSCHAL or Lieutenant SÉNÉSCHAL of Sark,
- (xiii) a member of any tribunal created by or under any enactment of the Bailiwick or any part thereof,
- (xiv) Her Majesty's Procureur or any Procureur Délégué,
- (xv) Her Majesty's Comptroller or any Contrôle Délégué,
- (xvi) Her Majesty's Greffier or any Deputy Greffier,
- (xvii) Her Majesty's Sheriff or any Deputy Sheriff,
- (xviii) Her Majesty's Sergeant or any Deputy Sergeant,
- (xix) the Greffier appointed under section 20(1) of the Government of Alderney Law, 2004,
- (xx) the Greffier of Sark or any Deputy Greffier,

- (xxi) the Prevôt of Sark or any Deputy Prevôt,
- (xxii) the Constable, Vingtenier or any Assistant Constable of Sark,
- (xxiii) the Treasurer or the Deputy Treasurer of Sark,
- (xxiv) a person elected to Parochial office in Guernsey,
- (xxv) a member of a Parish Douzaine,
- (xxvi) an auditor,
- (xxvii) an arbitrator or umpire (whether appointed by virtue of an arbitration agreement, by a court or by any other means),
- (xxviii) a non States member of a States Department or Committee,
- (xxix) a non Chief Pleas member of a Chief Pleas Committee,
- (xxx) a member of any body created by or under any enactment responsible for the regulation of any type of business or

other activity, and

(xxx) any other person employed by or acting on behalf of the public administration in any part of the Bailiwick, and

(c) without prejudice to the generality of paragraph (a), a person of any of the following descriptions -

(i) a member of the government of any other country or territory,

(ii) a member of a public assembly exercising legislative or administrative powers in any other country or territory,

(iii) a mayor of a municipality in any other country or territory,

(iv) a member of the European Parliament,

(v) a member of the Court of Auditors of the European Communities,

(vi) a member of the Commission of the European Communities,

(vii) a public prosecutor in any other country

or territory,

- (viii) a judge of a court in any other country or territory,
- (ix) a lay person who has the responsibility of deciding on the guilt of an accused person in criminal proceedings in any other country or territory,
- (x) a lay person who has the responsibility of deciding on matters of fact, law or both in civil or administrative proceedings in any other country or territory,
- (xi) an arbitrator or umpire (whether appointed by virtue of an arbitration agreement, by a court or by any other means) appointed in any other country or territory,
- (xii) a judge of any court established under an international agreement,
- (xiii) a member of, or any other person employed by or acting for or on behalf of, any body established under an international agreement,

- (xiv) a member of a body created by law in any other country or territory responsible for the regulation of any type of business or other activity, and
 - (xv) any other person employed by or acting on behalf of the public administration of any other country or territory, and
- (d) a company or other body corporate."

Repeal.

2. The Prevention of Corruption (Bailiwick of Guernsey) Law, 2003 (Amendment) Ordinance, 2007 is hereby repealed.

Interpretation.

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

(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.

Extent.

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

Citation.

5. This Ordinance may be cited as the Prevention of Corruption

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

(Bailiwick of Guernsey) (Amendment) Ordinance, 2008.

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

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