

Island of  Guernsey

Ordinance of the States **LXI**

1971

Made 15th December, 1971.

Coming into Operation ... 3rd January, 1972.

The Smoking (Prohibited Buildings and Vehicles) Ordinance, 1971

THE STATES, in pursuance of their Resolution of the twenty-eighth day of October, nineteen hundred and seventy-one, and in exercise of the powers conferred upon them by section one and section three of the Public Transport Licensing (Guernsey) Law, 1964(a), hereby order:—

1. (1) A person shall not smoke in the auditorium of a public building—

- (i) during the presentation therein of a cinematograph show,
- (ii) during the presentation therein of a stage-play or other dramatic performance,
- (iii) during a concert given therein by instrumentalists or vocalists or both,
- (iv) during a lecture delivered therein, or

during the period of sixty minutes immediately preceding the commencement of, or during any

No smoking in certain public buildings and vehicles.

(a) Ordres en Conseil Vol. XIX, p. 205.

interval in, any such cinematograph show, stage-play or other dramatic performance, concert or lecture.

(2) Nothing in the last preceding subsection shall prohibit a person smoking in that part of a public building in respect of which there is for the time being in force a liquor licence granted in pursuance of the provisions of the Liquor Licensing Ordinance, 1960, as amended.

(3) A passenger shall not smoke in a public service vehicle being used for the purposes of a public omnibus service.

(4) Any person who contravenes any of the provisions of subsection (1) or subsection (3) of this section shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five pounds.

Display of
notice in
certain
vehicles.

2. (1) A person who is the holder of a public service omnibus licence shall cause to be displayed at all times in a prominent place in that part of the motor vehicle in respect of which he holds that licence set aside for the carriage of passengers a notice, in clear and legible letters of not less than one and one half inches in height, in the terms set out in the Schedule to this Ordinance.

(2) Any person who fails to comply with the provisions of the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty new pence.

Powers of
entry of
police
officers.

3. (1) A police officer may at any time enter any public building or any motor vehicle in respect of which there is in force a public service omnibus licence for the purposes of ensuring that the provisions of subsection (1) or subsection (3), as the case may be, of section one of this Ordinance are being

complied with and for that latter purpose the said power to enter any such motor vehicle shall include a power to require any such motor vehicle to be stopped.

(2) Any person who obstructs a police officer in the exercise of his powers under the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five pounds.

4. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

Interpretation.

“ a police officer ” means a member of the salaried police force of the Island of Guernsey and, within the limit of his jurisdiction, a member of the special constabulary of the said Island;

“ public building ” means a building in respect of which there is for the time being in force a licence granted under the provisions of section three of the Law entitled “ Loi ayant rapport aux Licences pour les Salles Publiques ” registered on the fourth day of July, nineteen hundred and fourteen^(b), or a building in respect of which there is for the time being in force a certificate issued under the provisions of Article thirty-four of the Ordinance entitled “ Ordonnance ayant rapport à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins ” of the twenty-fifth day of April, nineteen hundred and thirty-one, as amended^(c);

(b) Ordres en Conseil Vol. V, p. 56.

(c) Recueil d'Ordonnances Tome VIII, p. 123; p. 140.

“public omnibus service”, “public service vehicle” have the meanings assigned to them by subsection (1) of section fifty of the Public Transport Licensing Ordinance, 1966(d).

(2) The reference in subsection (1) of section one of this Ordinance to a stage-play or other dramatic performance, a concert or a lecture shall include such a stage-play or other dramatic performance, concert or lecture, presented, given or delivered, as the case may be, by way of a recording.

Citation. 5. This Ordinance may be cited as the Smoking (Prohibited Buildings and Vehicles) Ordinance, 1971.

Commencement. 6. This Ordinance shall come into force on the third day of January, nineteen hundred and seventy-two.

(d) Recueil d'Ordonnances Tome XIV, p. 280; No. LI of 1971.

SCHEDULE

Form of Notice Section two

SMOKING PROHIBITED—Penalty £25.

R. H. VIDELO,
Her Majesty's Greffier.

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

PRICE 3p