

ORDER IN COUNCIL

XIII

1984

ratifying a *Projet de Loi*

ENTITLED

The Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984

(Registered on the Records of the Island of Guernsey
8th day of August, 1984.)



1984.

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 8th day of August, 1984 before Sir Charles Frossard, Kt., Bailiff; present:—Donald Pescott Plummer, Esquire, Sydney Haydn Heard, Esquire, M.B.E., Brian Ernest Herbert Joy, Esquire, Charles Henry Hodder, Esquire, O.B.E., Herbert Nicolle Machon, Geoffrey Ernest Le Page and Raymond Arthur Heaume, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 25th day of June, 1984, ratifying a *Projet de Loi* of the States of Guernsey entitled "The Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and 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 Seneschal of Sark for registration on the records of those Islands respectively of which Order in Council the tenor followeth: —

At the Court at Buckingham Palace

The 25th day of June 1984

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 12th day of June 1984 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

‘1. That in pursuance of their Resolution of the 7th day of December 1983 the States of Deliberation at a meeting held on the 28th day of March 1984 approved a Bill or “Projet de Loi” entitled “The Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984”, and to order that the same shall have force of law, in the Bailiwick of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

Her Majesty having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

And Her Majesty doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

N. E. Leigh

PROJET DE LOI

ENTITLED

The Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984

THE STATES, in pursuance of their Resolution of the seventh day of December, nineteen hundred and eighty-three, 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.

1. The Summary Offences (Bailiwick of Guernsey) Law, 1982(*a*) (hereinafter referred to as "the principal Law") is hereby amended as follows:—

**Amendment
to Law of
1982.**

(*a*) immediately after paragraph (*k*) of section one thereof there shall be inserted the word "or" and the following paragraph:—

"(1) without lawful authority or reasonable excuse, the proof whereof shall lie on him, has with him in any public place any offensive weapon;"

(*b*) immediately after the letter (*a*) of section three there shall be inserted the figure "(i)";

(*c*) immediately after paragraph (*a*) of section three thereof there shall be inserted the following sub-paragraph:—

(*a*) Ordre en Conseil No. II of 1982.

“(ii) having been served with a summons pursuant to Rule 1 of the Magistrate’s Court (Defence Witnesses) Rules 1983(b) to attend the Magistrate’s Court at a specified time and date to give evidence in a criminal matter, fails, without good reason, so to attend; or”

(d) immediately after paragraph (c) of section three thereof there shall be inserted the word “or” and the following paragraph:—

“(d) is found drunk in a public place or on property belonging to another;”;

(e) in subsection (1) of section seven thereof there shall be inserted, immediately after the definition of the expression “the Magistrate’s Court”, the following definition:—

““offensive weapon” means any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him;”.

Citation and
collective
title.

2. (1) This Law may be cited as the Summary Offences (Amendment) (Bailiwick of Guernsey) Law, 1984.

(2) This Law and the principal Law may be cited together as the Summary Offences (Bailiwick of Guernsey) Laws, 1982 and 1984.

A. G. LE CHEMINANT.

Her Majesty’s Deputy Greffier.

(b) Order of the Royal Court No. III of 1983.