
STATUTORY INSTRUMENTS

1997 No. 2966

ANTARCTICA

The Antarctic (Guernsey) Regulations 1997

Made - - - - 10th December 1997

Coming into force in accordance with regulation 1(2)

In exercise of the powers conferred on me by sections 9(1), 10(1), 11(1), 14(1), 25(1) and (3), 29 and 32 of the Antarctic Act 1994⁽¹⁾, together with the definition of “regulations” in section 31(1) of that Act, as that Act has effect in the Bailiwick of Guernsey by virtue of the Antarctic Act 1994 (Guernsey) Order 1995⁽²⁾, I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Antarctic (Guernsey) Regulations 1997.

(2) These Regulations shall come into force on the day of their registration in the Royal Court of Guernsey.

2. The provisions of the Antarctic Regulations 1995⁽³⁾ shall, subject to the modifications specified in the Schedule to these Regulations, have effect in the Bailiwick of Guernsey and shall form part of the law of the Bailiwick of Guernsey.

Home Office
10th December 1997

Jack Straw
One of Her Majesty’s Principal Secretaries of
State

(1) 1994 c. 15.

(2) S.I.1995/1033.

(3) S.I. 1995/490. The Antarctic Regulations 1995 came into force in the United Kingdom on 1st November 1995; see S.I. 1995/2741.

SCHEDULE

Regulation 2

MODIFICATIONS TO THE ANTARCTIC REGULATIONS 1995

1. In regulation 1 (citation and commencement), the words from “and shall come into force” onwards are omitted.
2. In regulation 2 (interpretation)—
 - (a) in paragraph (1), after “1994” there is inserted “as extended to the Bailiwick of Guernsey”;
 - (b) in paragraphs (5) and (6), for “bank holiday in any part of the United Kingdom” there is substituted “public holiday in the Bailiwick of Guernsey”;
 - (c) after paragraph (6) there is inserted—
 - “(7) In these Regulations—
 - “Her Majesty’s Procureur” includes Her Majesty’s Comptroller;
 - “officer of police” means—
 - (a) a member of the salaried police force of the Island of Guernsey;
 - (b) in relation to Guernsey, Herm and Jethou, and within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
 - (c) in relation to Alderney, a member of any police force which may be established by the States of Alderney or, within the limits of his jurisdiction, a special constable appointed by the Court of Alderney under section 15 of the Government of Alderney Law, 1987; or
 - (d) in relation to Sark, the Constable or the Vingtenier.”.
3. In regulation 4(2) (applications for permits), after “London Gazette” there is inserted “and La Gazette Officielle”.
4. In regulation 9(5) (production of permits), for sub-paragraph (a) of the definition of “authorised person” there is substituted—
 - “(a) in the Bailiwick of Guernsey—
 - (i) an officer of police;
 - (ii) any officer of customs and excise within the meaning of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, as amended⁽⁴⁾; or
 - (iii) any other person authorised by the States Board of Administration in writing for the purposes of this regulation either generally or in a particular case;”.
5. In regulation 17 (application of Part 5), for “the Secretary of State” there is substituted “Her Majesty’s Procureur”.
6. In regulation 18 (arrest and conveyance in custody)—
 - (a) in paragraph (1) for “A court in any part of the United Kingdom having jurisdiction in respect of the offence” there is substituted “The Bailiff”; “in that court” is omitted; and for “that part of the United Kingdom” there is substituted “the Bailiwick of Guernsey”;
 - (b) in paragraph (2), for “British ship or British aircraft” there is substituted “British ship, British aircraft or British hovercraft”;

⁽⁴⁾ The relevant amendment was made by section 2(1) (c) of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1991.

- (c) in paragraph (3)(a) and (b), for “United Kingdom” there is substituted “Bailiwick of Guernsey” and for “a constable” there is substituted “an officer of police” each time those expressions occur;
 - (d) in paragraph (4), for “constable” there is substituted “police officer”;
 - (e) in paragraph (5), for the words from ““British ship”” to “1988” there is substituted ““British ship” means a British ship for the purpose of the Merchant Shipping Act 1995(5)”;
 - (f) for paragraph (6) there is substituted—
 - “(6) In paragraph (4), “police officer” means—
 - (a) in relation to the Bailiwick of Guernsey, an officer of police; or
 - (b) in relation to a British territory outside the Bailiwick of Guernsey, any person who in that territory is, or has powers of, a constable or police officer.”.
7. In regulation 19 (physical evidence)—
- (a) in paragraph (1), for “United Kingdom” there is substituted “Bailiwick of Guernsey”;
 - (b) in paragraph (2), for “the Secretary of State” there is substituted “Her Majesty’s Procureur”.
8. In regulation 20 (attendance of witnesses)—
- (a) in paragraph (1), for “the Secretary of State” there is substituted “Her Majesty’s Procureur”; and for “the United Kingdom” there is substituted “the Bailiwick of Guernsey”;
 - (b) in paragraph (2), for “the Secretary of State” there is substituted “Her Majesty’s Procureur”; and for “he” there is substituted “the Bailiff on the application of Her Majesty’s Procureur”;
 - (c) in paragraph (4), for “United Kingdom” there is substituted “Bailiwick of Guernsey”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the Antarctic Regulations 1995 to have effect in the Bailiwick of Guernsey, subject to the modifications specified in the Schedule.

(5) 1995 c. 21.