

GUERNSEY STATUTORY INSTRUMENT

2015 No. 43

**Sex Offenders (Prescribed Jurisdictions)
(Bailiwick of Guernsey) Regulations, 2015**

<i>Made</i>	<i>1st July , 2015</i>
<i>Coming into operation</i>	<i>1st July , 2015</i>
<i>Laid before the States</i>	<i>, 2015</i>

THE HOME DEPARTMENT, in exercise of the powers conferred on it by sections 2, 19, 23 and 55 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013^a, hereby orders:-

Prescribed jurisdictions.

1. The following jurisdictions are prescribed for the purposes of sections 2(2), 19(5), and 23(5) of the Law -

- (a) England and Wales,
- (b) Scotland,
- (c) Northern Ireland,
- (d) Jersey, and
- (e) the Isle of Man.

Prescribed notification requirements.

2. The following notification requirements are prescribed notification requirements for the purposes of section 2(2) of the Law -

^a Order in Council No. IX of 2014.

- (a) the notification requirements of Part 2 of the United Kingdom Act,
- (b) the notification requirements of Article 3(3) of the Jersey Law, and
- (c) the notification requirements of section 1 of, and Schedule 1 to, the Isle of Man Act.

Prescribed orders in relation to sexual offences prevention orders.

3. The following orders are prescribed orders for the purpose of section 19(6) of the Law -

- (a) a sexual offences prevention order or sexual harm prevention order within the meaning of Part 2 of the United Kingdom Act,
- (b) a restraining order within the meaning of Article 10(5) of the Jersey Law, and
- (c) a sexual offences prevention order under Part 1 of the Isle of Man Act.

Prescribed orders in relation to risk of sexual harm orders.

4. The following orders are prescribed orders for the purpose of section 23(6) of the Law -

- (a) a risk of sexual harm order or sexual risk order within the meaning of Part 2 of the United Kingdom Act,
- (b) a child protection order within the meaning of Article 11(15) of the Jersey Law, and
- (c) a risk of sexual harm order under Part 2 of the Isle of Man Act.

Interpretation.

5. (1) In these Regulations, unless the context otherwise requires -

"enactment" means any Law, Ordinance or subordinate legislation, Act of the Westminster Parliament, Law of the States of Jersey or Act of Tynwald,

"the Isle of Man Act" means the Criminal Justice Act 2001^b,

"the Jersey Law" means the Sex Offenders (Jersey) Law 2010^c,

"the Law" means the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013,

"subordinate legislation" means any regulation, rule, regulations, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect, and

"the United Kingdom Act" means the Sexual Offences Act 2003 of the United Kingdom^d as it extends to each of the prescribed jurisdictions listed in article 1 (except Jersey and the Isle of Man).

(2) The Interpretation (Guernsey) Law, 1948^e applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

^b An Act of Tynwald (AT 4 of 2001).

^c A Law of the States of Jersey (L.18/2010).

^d An Act of the Westminster Parliament (c.42).

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

6. These Regulations may be cited as the Sex Offenders (Prescribed Jurisdictions) (Bailiwick of Guernsey) Regulations, 2015 and shall come into force on the 1st July, 2015.

Dated this *first* day of *July*, 2015



P. L. GILLSON

Minister of the States Home Department
For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, for the purposes of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 ("the Law"):

- the relevant jurisdictions and notification requirements mentioned in s.2(2) (notification requirements of other jurisdictions which also apply in the Bailiwick),
- the relevant jurisdictions and orders mentioned in s.19(5) (orders equivalent to sexual offences prevention orders in relation to which a breach can be prosecuted in the Bailiwick), and
- the relevant jurisdictions and orders mentioned in s.23(5) (orders equivalent to risk of sexual harm orders in relation to which a breach can be prosecuted in the Bailiwick).

The relevant jurisdictions are England and Wales, Scotland, Northern Ireland, Jersey and the Isle of Man, which all operate broadly similar schemes to that found in the Law.

These Regulations come into force on the 1st day of July, 2015.

