

Island of



Guernsey

Ordinance of the States

XXXVI
2016

Made 2nd November, 2016

Coming into Operation 3rd November, 2016

The Prison (Guernsey) (Amendment) Ordinance, 2016

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THE STATES, in pursuance of their Resolution of the 1st October, 2015^a and in exercise of the powers conferred on them by sections 6, 7 and 8 of the Prison (Enabling Provisions) (Guernsey) Law, 2010^b, hereby order:-

Amendment of the Ordinance of 2013.

1. The Prison (Guernsey) Ordinance, 2013^c is amended as follows.

2. For section 17(1) of that Ordinance, substitute the following subsection –

"(1) The Committee must appoint the Chairman and other members of a panel to be known as the Independent Monitoring Panel, subject to confirmation by the States in accordance with Schedule 3."

3. In paragraph 1 of Schedule 3 to that Ordinance –

(a) in subparagraph (2), for "nominating a person to the States for appointment", substitute "appointing a person",

(b) in subparagraph (4), for "States", substitute "Committee",

^a Article XIX of Billet d'État No. XVI (Vol. 2) of 2015.

^b Order in Council No. XIII of 2012.

- (c) in subparagraph (6), omit item (b), and
- (d) immediately after subparagraph (6), insert the following subparagraphs –

"(7) If any appointment made by the Committee to the Panel is not confirmed by the States before the end of the calendar year in which the appointment is made, that appointment lapses at the end of that calendar year.

(8) If an appointment made by the Committee to the Panel is repudiated by the States at any time, the appointment is terminated immediately."

Interpretation.

4. 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.

Savings.

5. On the commencement of this Ordinance, the persons who were the Chairman and other members of the Panel (as defined in section 55(1) of the Prison (Guernsey) Ordinance, 2013) immediately before the commencement of this Ordinance are deemed to have been duly appointed and confirmed as the Chairman and other members of that panel in accordance with the Prison (Guernsey)

^c Ordinance No. XXIX of 2013; as amended by Ordinances No. XXVII of 2015 and No. IX of 2016.

Ordinance, 2013 as amended by this Ordinance.

Citation.

6. This Ordinance may be cited as the Prison (Guernsey) (Amendment) Ordinance, 2016.

Commencement.

7. This Ordinance shall come into force on the 3rd November, 2016.

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