

Island of



Guernsey

Ordinance of the States

XVII
2018

Made 27th March, 2018
Coming into Operation 28th March, 2018
Laid before the States 6th June, 2018

The Regulation of Investigatory Powers (Bailiwick of Guernsey) (Amendment) Ordinance, 2018

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THE STATES POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on the States by section 65 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003^a, as amended, and all other powers enabling the States in that behalf, and on the Committee by Article 66A(1) of the Reform (Guernsey) Law, 1948^b, as amended, hereby orders:-

Amendment of section 55 of the Law.

1. (1) The Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003 is further amended as follows.

(2) In section 55, at the start of subsection (2) insert "Subject to subsection (2A)".

(3) After section 55(2) insert –

"(2A) The Bailiff may, at the request of the Commissioner, appoint as an Assistant Commissioner a person who does not satisfy the requirement set out in subsection (2), if the Bailiff considers that the person is otherwise a fit and proper person to be an Assistant Commissioner."

^a Order in Council No. XXX of 2003; as amended by Ordinance No. XXXIII of 2003; No. XXIX of 2013; No. IX of 2016; No. II of 2017; and G.S.I. No. 26 of 2004.

^b Ordres en Conseil Vol. XIII, p. 288; as amended by Order in Council No. XVII of 2015; there are further amendments not relevant to this Ordinance.

Interpretation.

2. (1) In this Ordinance -

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Ordinance throughout the Bailiwick of Guernsey.

(3) 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.

Extent.

3. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation and Commencement.

4. This Ordinance may be cited as the Regulation of Investigatory Powers (Bailiwick of Guernsey) (Amendment) Ordinance, 2018, and shall come into force on the 28th March, 2018.

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

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