

# ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

## **Ordonnance prohibitant la Prise de Photographies dans l'Édifice de la Cour Royale et dans les environs d'icelui \***

[CONSOLIDATED TEXT]

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Recueil d'Ordonnances Tome VIII, p. 303; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278). See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288); the Deputy Bailiff (Guernsey) Law, 1969 (Ordres en Conseil Vol. XXII, p. 122); the Magistrate's Court (Guernsey) Law, 2008 (No. XVIII of 2009).

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ARRANGEMENT OF SECTIONS

1. Taking and publication of photographs, etc.
2. Interpretation.
3. Powers of Police.
4. Cameras, sketch-books, etc., to be forfeited.

(Made on the 16th February, 1935.)

## **Ordonnance prohibitant la Prise de Photographies dans l'Édifice de la Cour Royale et dans les environs d'icelui**

**LA COUR ROYALE**, dans le but d'assurer le bon ordre dans l'administration de la Justice et pour obvier la molestation des personnes y prenant part, et ouïes les conclusions des Officiers du Roi, par voie des règlements qui ensuivent rédigés en anglais a ordonné et ordonne: –

### **Taking and publication of photographs, etc.**

1. Save with the express permission of the Royal Court, no person shall –

- (a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of any person, being a judge of the court or a witness in or a party to any proceedings before the court, whether civil or criminal,
- (b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof,

and if any person acts in contravention of this section he shall, on conviction, be liable in respect of each offence to a fine not exceeding [level 1 on the uniform scale].

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### **NOTES**

*In section 1, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.*

*In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 70(3), with effect from 1st January, 1950, this formerly Provisional Ordinance of the Royal Court became a Permanent Ordinance of the States.*

**Interpretation.**

2. For the purposes of the foregoing section –
- (a) the expression "**court**" means any court of justice held within the precincts of the Royal Court building,
  - (b) the expression "**judge**" includes Bailiff, Lieutenant-Bailiff, Jurat and Magistrate,
  - (c) a photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken or made in any courtroom or other place in the Royal Court building or in the precincts of that building, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving such court-room or building or precincts as aforesaid.

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**NOTES**

*In accordance with the provisions of the Deputy Bailiff (Guernsey) Law, 1969, section 5(4), with effect from 9th September, 1969, in the event of the Deputy Bailiff discharging any functions or exercising any powers appertaining to the office of Bailiff which he is authorised to discharge or exercise under or by virtue of the 1969 Law, the provisions contained herein relating to the discharge of such functions or the exercise of such powers shall have effect as if the references herein to the Bailiff included a reference to the Deputy Bailiff.*

*In accordance with the provisions of the Magistrate's Court (Guernsey) Law, 2008, section 47(3), the reference in this section to the "Magistrate" shall be construed as a reference to a Judge of the Magistrate's Court within the meaning of the 2008 Law, with effect from 1st September, 2009.*

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**Powers of Police.**

3. Where a person is seen or found offending or is reasonably suspected of offending against the provisions of this Ordinance any Court Official or Police Officer may detain and search him and may demand his name and address and such

Official or Officer may, whether so detaining the person or not, seize and, pending prosecution, detain any camera, plate, film, sketch-book or other appliance or thing to which the offence or suspected offence relates.

**Cameras, sketch-books, etc., to be forfeited.**

4. Upon conviction of any person for an offence under this Ordinance, the Royal Court may order that any camera, plate, film, sketch-book or other appliance or thing by or in respect of which the offence was committed shall be forfeited or otherwise dealt with as the Court may direct.

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**NOTE**

*The Ordinance was made and came into operation on 16th February, 1935.*

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