

# ORDER IN COUNCIL

I  
2022

ratifying a Projet de Loi

ENTITLED

## The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021

(Registered on the Records of the Island of Guernsey on the 10th  
January, 2022.)



2022



# In the Royal Court of the Island of Guernsey

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**The**

10<sup>th</sup> day of January, 2022 before Richard James McMahon, Esquire, Bailiff; present:- Claire Helen Le Pelley, David James Mortimer, David John Robilliard, Stuart Michael Crisp, Esquires, Tina Jane Le Poidevin, Paul Martin Burnard, Esquire, Felicity Jane Quevâtre-Malcic, Heather Reed, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 15<sup>th</sup> day of December, 2021, approving and ratifying a Projet de Loi of the States of Guernsey entitled “The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021”, THE COURT, after the reading of the Order in Council and having heard from Her Majesty’s Comptroller thereon, ORDERED:-

1. That the said Order in Council be registered on the records of this Island;  
and
2. That an extract of this present Act, together with a copy of the said Order be sent by Her Majesty’s Greffier to The Greffier of the Court of Alderney and to the Sénéchal of Sark for registration on the records of those Islands respectively.

J. TORODE  
Her Majesty’s Greffier



*At the Court at Windsor Castle*

THE 15th DAY OF DECEMBER 2021

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 16th January 2020, the States of Deliberation at a meeting on 24th February 2021 approved a *Projet de Loi* entitled the Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the States of the Island of Alderney at a meeting held on 19th May 2021 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Alderney. That the Chief Pleas of the Island of Sark at a meeting held on 14th April 2021 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Sark. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021, and to order that it shall have force of law in the Bailiwick of Guernsey.

“The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it”.

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Bailiwick of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

*Richard Tilbrook*

# PROJET DE LOI

ENTITLED

## **The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021**

**THE STATES**, in pursuance of their Resolution of the 16<sup>th</sup> January, 2020<sup>a</sup>, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

### **Amendment of Law of 1986.**

1. (1) The Police Force (Bailiwick of Guernsey) Law, 1986 is amended as follows.

(2) In section 1(1) -

(a) immediately after "agreement" insert ", whether directly or through any coordinating body," and

(b) immediately after "demand on its resources" insert ", whether in the Island of Guernsey or elsewhere in the Bailiwick".

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<sup>a</sup> Article VII of Billet d'État No. I of 2020.

- (3) In section 2(1), substitute the following -
- (a) for "during their period of duty in the Island", the words "during their period of duty in the Bailiwick",
  - (b) for "force present in the Island", the words "force present in the Bailiwick", and
  - (c) for "the Courts of Guernsey in respect of their conduct within the Island", the words "the appropriate Court in respect of their conduct within the Bailiwick".
- (4) After section 2(1), insert the following subsection -
- "(1A) The "**appropriate Court**" in subsection (1) means -
- (a) the Court of Alderney, where a member of a force is within the jurisdiction of that Court,
  - (b) the Court of the Seneschal, where a member of a force is within the jurisdiction of that Court, and
  - (c) in any other case, the Magistrate's Court or, as the case may require, the Royal Court."

(5) In section 2(2), for "in the Island", substitute the words "in the Bailiwick".

(6) In section 2(3) -

- (a) for "in the Island", substitute the words "in the Bailiwick", and
- (b) immediately after "as amended", insert the words ", or to take any oath of office before the Court of the Seneschal pursuant to any of sections 52 to 54 of the Reform (Sark) Law, 2008<sup>b</sup> or any oath or affirmation pursuant to section 47 of the Government of Alderney Law, 2004<sup>c</sup> or any Ordinance thereunder."

(7) In section 4, immediately before "Guernsey" insert "Bailiwick of".

**Application of Law of 1986 to the Bailiwick.**

2. The Police Force (Bailiwick of Guernsey) Law, 1986<sup>d</sup> and any regulations under it shall apply to the Bailiwick of Guernsey, including the territorial sea adjacent to it, and any reference to in or within the Bailiwick shall be construed accordingly.

**Extent.**

3. This Law shall have effect in the Bailiwick of Guernsey (including, for

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<sup>b</sup> Order in Council No. V of 2008; amended by Nos. VI and XXVII of 2008; No. XIV of 2010; No. XII of 2011; No. XI of 2014; No. IX of 2016; No. II of 2017; Sark Ordinance Nos. II and VI of 2015; No. XI of 2017; No. XIII of 2018.

<sup>c</sup> Order in Council No. III of 2005, Ordres en Conseil Vol. XLV, p. 26; there are amendments not relevant to these Regulations.

<sup>d</sup> Order in Council No. XII of 1986 as amended by Ordinance No. XXXIII of 2003; No. IX of 2016.

the avoidance of doubt, the territorial sea adjacent to it).

**Citation.**

4. This Law may be cited as the Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021.

**Commencement.**

5. This Law shall come into force on the day appointed by Ordinance of the States; and different dates may be appointed for different provisions and for different purposes.