

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE POLICE FORCE (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2021

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

The Law amends the Police Force (Guernsey) Law, 1986 to extend the powers contained therein to the rest of the Bailiwick. The Committee may make an agreement with a police force in the United Kingdom, or with the States of Jersey Police Force, to place members of that force in the Bailiwick of Guernsey under the conditions set out in sections 1 and 2.

PROJET DE LOI

ENTITLED

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

THE STATES, in pursuance of their Resolution of the 16th January, 2020^a, 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".

^a 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^b or any oath or affirmation pursuant to section 47 of the Government of Alderney Law, 2004^c 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^d 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

^b 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.

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

^d 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.