

# STATES OF JERSEY



## DRAFT POLICING OF ROADS (AMENDMENT No. 9) (JERSEY) REGULATIONS 201-

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Lodged au Greffe on 5th November 2015  
by the Minister for Transport and Technical Services

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STATES GREFFE





Jersey

## **DRAFT POLICING OF ROADS (AMENDMENT No. 9) (JERSEY) REGULATIONS 201-**

### **REPORT**

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The Connétable of St. Helier has requested that a description of an “Authorized Person” be added to the Articles in the Policing of Roads (Jersey) Regulations 1959 to enable the Parish to improve its policing of roads, in particular for the control of dog fouling.

Under Article 2(d) of the Policing of Roads (Jersey) Regulations, permitting any animal to foul a footpath is already a prohibited act. However, in order to improve the powers of the parish to control this offence, the Connétable has requested that a similar Article to Article 8 of the Policing of Parks (Jersey) Regulations 2005 be added to the Policing of Roads (Jersey) Regulations to enable personnel within the Parish’s Community Support Team (“Authorized Persons”) to have some power to deal with the problem of dog fouling on roads within the Parish.

#### **Financial and manpower implications**

There are no additional financial and manpower implications arising from the proposed draft Regulations.

## Explanatory Note

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These Regulations amend the Policing of Roads (Jersey) Regulations 1959 (“principal Regulations”).

*Regulation 1* inserts a definition of “authorized person” in the principal Regulations to mean, in relation to a road, a person appointed by a Connétable of the parish in which a road is situated or a police officer.

*Regulation 2* inserts a new Regulation in the principal Regulations requiring a Connétable to issue each authorized person it appoints for the purpose of these Regulations with an identity card. If an authorized person believes that a person has contravened any provision of the principal Regulations (or any condition subject to which a permission under the Regulations has been granted), the authorized person may require the person to give his or her name and address and the person must give his or her true name and address to the authorized person. In the case of an authorized person appointed by a Connétable, the authorized person must, before requiring a person’s name and address, show the person his or her identity card. Under Regulation 4 of the principal Regulations, contravention of any provision of the principal Regulations is an offence subject to a maximum fine of level 2 on the standard scale, that is, £500.

*Regulation 3* sets out the title of these Regulations and provides that they will come into force 7 days after they are made.



Jersey

## **DRAFT POLICING OF ROADS (AMENDMENT No. 9) (JERSEY) REGULATIONS 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of the Order in Council of 26th December 1851<sup>1</sup>, Article 92 of the Road Traffic (Jersey) Law 1956<sup>2</sup> and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957<sup>3</sup>, have made the following Regulations –

### **1 Regulations 1 amended**

In Regulation 1 of the Policing of Roads (Jersey) Regulations 1959<sup>4</sup> after the definition “article or thing” there shall be inserted the following definition –

“ ‘authorized person’ means, in relation to a road –

- (a) a person appointed by the Connétable of the parish in which the road is situated to be an authorized person for the purposes of these Regulations; and
- (b) a police officer;”.

### **2 Regulation 3A inserted**

After Regulation 3 of the Policing of Roads (Jersey) Regulations 1959 there shall be inserted the following Regulation –

#### **“3A Authorized persons**

- (1) A Connétable must issue each authorized person it appoints with an identity card that –
  - (a) contains the name of the authorized person; and
  - (b) states that the person is an authorized person for the purposes of these Regulations.
- (2) If an authorized person reasonably believes that a person has contravened any of the provisions of these Regulations or contravened or failed to comply with any condition subject to which any permission under these Regulations is granted, the

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authorized person may require the person to give the person's name and address.

- (3) In the case of an authorized person appointed by a Connétable, before requiring a person's name and address under paragraph (2), the authorized person shall show his or her identity card to the person.
- (4) A person who is required to give his or her name and address under paragraph (2) must give the authorized person his or her true name and address.”.

### **3 Citation and commencement**

These Regulations may be cited as the Policing of Roads (Amendment No. 9) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- <sup>1</sup> *chapter 23.350*  
<sup>2</sup> *chapter 25.550*  
<sup>3</sup> *chapter 22.600*  
<sup>4</sup> *chapter 22.600.75*