

**DRAFT STATUTORY NUISANCES (JERSEY) LAW 199 (P.40/98):  
SECOND AMENDMENT**

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**Lodged au Greffe on 8th June 1999  
by Deputy G.C.L. Baudains of St. Clement**

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**STATES OF JERSEY**

**STATES GREFFE**

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## Report

It has been said that a law should not be judged by the good it can do, but by the potential it has for doing harm.

Article 10, as it stands, allows for an 'authorised person' to access any property, at any time, to determine whether a statutory nuisance exists or not.

An 'authorised person', acting under this law, has no need to enter premises unless he has genuine reason to believe that a statutory nuisance exists, or is about to.

I believe this article gives powers that are unnecessarily open to abuse, and my amendment seeks to define under what circumstances an 'authorised person' may enter private or commercial premises.

**Explanatory Note**

The object of this amendment is to limit the power of entry to premises by an authorized person, other than when he is taking action or executing work authorized or required by this Law, to occasions when he has reasonable suspicion that a statutory nuisance exists or will exist on those premises.

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PAGE 24, ARTICLE 10 -

*For sub-paragraph (a) of paragraph (1) there shall be substituted the following sub-paragraph -*

“(a) if he suspects, on reasonable grounds, that a statutory nuisance exists or will exist on those premises;”.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT