

DRAFT FIRE SERVICE (AMENDMENT No. 4) (JERSEY) LAW 200-

**Lodged au Greffe on 2nd May 2000
by the Home Affairs Committee**



STATES OF JERSEY

STATES GREFFE

180

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Explanatory Note

This draft Law amends the Fire Service (Jersey) Law 1959 (“the principal Law”) so as to change the name of the service and increase the penalties that may be imposed in respect of offences. The penalties have not been altered since the principal Law was enacted.

Article 1 is the interpretation provision.

Article 2 amends the principal Law so as to change the name of the States of Jersey Fire Service to the States of Jersey Fire and Rescue Service and provides for existing references to the service, whether in legislation or elsewhere, to be construed accordingly.

Article 3 amends the principal Law so as to -

- (a) increase from £100 to level 3 on the standard scale the maximum fine for the offence of unauthorized disclosure of information obtained in exercise of powers of entry;
- (b) increase from £25 to level 2 on the standard scale the maximum fine for the offence of wilfully obstructing a fireman or police officer engaged in fire fighting operations;
- (c) increase from £10 to level 2 on the standard scale the maximum fine for the offences of unauthorized use of a fire hydrant, damage to or obstruction of a fire hydrant, or damage to or removal of a fire hydrant;
- (d) increase the maximum fine and further daily fine for a failure by the Jersey New Waterworks Co. Ltd. to comply with its obligations under the principal Law from £50 and £5 respectively to levels 3 and 1 on the standard scale;
- (e) increase from £50 to level 3 on the standard scale the maximum fine for the offence of giving a false fire alarm;
- (f) increase from £100 for a first offence and £5,000 for a subsequent offence to a single penalty of level 4 on the standard scale the maximum fine for the offence of setting a fire which spreads so as to cause damage to another person’s property;
- (g) make it clear that an unlimited fine may be imposed in lieu of or in addition to a term of ten years’ imprisonment for the offence of maliciously setting fire to another person’s property.

Article 4 is the citation and commencement provision.

Under the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, level 1 is £50, level 2 is £500, level 3 is £2,000 and level 4 is £5,000.

FIRE SERVICE (AMENDMENT No. 4) (JERSEY) LAW 200-

A LAW to amend further the Fire Service (Jersey) Law 1959, sanctioned by Order of Her Majesty in Council of the

(*Registered on the day of 200-*)

STATES OF JERSEY

The day of 200-

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law -

ARTICLE 1

In this Law, the “principal Law” means the Fire Service (Jersey) Law 1959, as amended.^[1]

ARTICLE 2

(1) In Article 2(1) of the principal Law,^[2] for the words “States of Jersey Fire Service” there shall be substituted the words “States of Jersey Fire and Rescue Service”.

(2) In the construction of and for the purposes of any enactment or any document whatsoever, a reference to the States of Jersey Fire Service shall be construed as a reference to the States of Jersey Fire and Rescue Service.

ARTICLE 3

In the principal Law -

- (a) in Article 3(3),^[3] for the words “one hundred pounds” there shall be substituted the words “level 3 on the standard scale”;
- (b) in Article 8(2),^[4] for the words “twenty-five pounds” there shall be substituted the words “level 2 on the standard scale”;
- (c) in Article 12(4) and (5)^[5] respectively, for the words “ten pounds” there shall be substituted the words “level 2 on the standard scale”;
- (d) in Article 12A⁵ -
 - (i) for the words “fifty pounds” there shall be substituted the words “level 3 on the standard scale”, and
 - (ii) for the words “five pounds” there shall be substituted the words “level 1 on the standard scale”;
- (e) in Article 16,^[6] for the words “fifty pounds” there shall be substituted the words “level 3 on the standard scale”;
- (f) in Article 17(1),⁶ for the words beginning “, in the case of a first offence,” and ending “five hundred pounds” there shall be substituted the words “to a fine not exceeding level 4 on the standard scale”;

(g) in Article 17(2),^[7] after the words “ten years” there shall be added the words “or to a fine, or both”.

ARTICLE 4

(1) This Law may be cited as the Fire Service (Amendment No. 4) (Jersey) Law 200-.

(2) This Law, with the exception of Article 2, shall come into force on the seventh day following its registration and Article 2 shall come into force on such day as the States may by Act appoint for the purpose.

^[1] Tome VIII, page 779 and Volume 1996-1997, page 963.

^[2] Tome VIII, page 780.

^[3] Tome VIII, page 782.

^[4] Tome VIII, page 784.

^[5] Tome VIII page 787.

^[6] Tome VIII, page 788.

^[7] Tome VIII, page 789.