

STATES OF JERSEY



DRAFT STATES OF JERSEY POLICE FORCE LAW 2012 (APPOINTED DAY) (No. 2) ACT 201-

**Lodged au Greffe on 20th May 2014
by the Minister for Home Affairs**

STATES GREFFE



Jersey

DRAFT STATES OF JERSEY POLICE FORCE LAW 2012 (APPOINTED DAY) (No. 2) ACT 201-

REPORT

The States of Jersey Police Force Law 2012 ('the 2012 Law') was adopted by the States on 15th May 2012, sanctioned by Order of Her Majesty in Council on 17th October 2012 and registered by the Royal Court on 26th October 2012. As the 2012 Law was adopted by the States 2 years ago, members may wish to refer to the covering Report at [P.182/2011](#) which explains its purpose and provisions.

A number of Articles were brought into force on 24th July 2013 by the first Appointed Day Act (see [P.78/2013](#)) to facilitate the establishment of the Jersey Police Authority. These are Articles 1, 2, 3(1) to (4), 4 to 7, 17(1) to (4), 18 to 20, 34 and Schedule 1, paragraph 11(9). The Jersey Police Authority has since been constituted by the Minister for Home Affairs through the appointment of its Chairman and Members. The purpose of this second Appointed Day Act is to bring into force all the remaining Articles of the Law.

A number of Articles provide for the introduction of new Regulations or Orders. Instructions for this subordinate legislation have been submitted, some having required extensive legal advice beforehand. However, a number of issues remain to be resolved and this, together with the drafting time involved, has meant that most of the subordinate legislation cannot be brought forward at this time. The Department is aiming to achieve this in the next States Session. Notwithstanding the delay, the remaining Articles of the 2012 Law are able to be brought into force if accompanied by the States of Jersey Police Force (Transitional Provisions) (Jersey) Order 201-, which the Minister for Home Affairs will make in due course.

Transitional provisions are required in relation to Article 9 of the Police Force (Jersey) Law 1974 which makes provision for the appointment, suspension and dismissal of the Chief Officer and the appointment of the Deputy Chief Officer. These provisions will be treated as if they remain in force until such time as Regulations under Article 9 of the 2012 Law are made. Transitional provisions are also required in relation to the Police Force (General Provisions) (Jersey) Order 1974 and the Police Force (Disposal of Property) (Jersey) Regulations 1974. The 1974 Order will remain in force until such time as an Order under Article 10 (appointment of other officers) and Article 13 (general orders) of the 2012 Law comes into force. The 1974 Regulations will continue to apply until such time as an Order under Article 28 (property in possession of police officers) of the 2012 Law comes into force.

There are also Regulation-making powers under Articles 24, 26 and 27 of the 2012 Law; however, these are permissive and do not prevent the remaining Articles of the Law being brought into force. In relation to Article 24, a minor amendment is

being lodged separately in order to clarify that the Police may make a charge, subject to conditions set out in Regulations, for goods and services.

Financial and manpower implications

There are no further financial or manpower implications arising from bringing the remainder of the 2012 Law into force by the making of this Appointed Day Act.

Explanatory Note

This Act brings into force on 1st August 2014 the provisions of the States of Jersey Police Force Law 2012 that were not brought into force on 24th July 2013 by the States of Jersey Police Force Law 2012 (Appointed Day) Act 2013.



Jersey

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

THE STATES, in pursuance of Article 34(2) of the States of Jersey Police Force Law 2012¹, have made the following Act –

1 Commencement of provisions of the States of Jersey Police Force Law 2012

The provisions of the States of Jersey Police Force Law 2012² that were not brought into force by the States of Jersey Police Force Law 2012 (Appointed Day) Act 2013³ shall come into force on 1st August 2014.

2 Citation

This Act may be cited as the States of Jersey Police Force Law 2012 (Appointed Day) (No. 2) Act 201-.

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- ¹ *chapter 23.820*
 - ² *chapter 23.820*
 - ³ *R&O.105/2013*