

STATES OF JERSEY

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DRAFT POLICE FORCE (AMENDMENT No. 9) (JERSEY) LAW 200

**Lodged au Greffe on 29th April 2003
by the Home Affairs Committee**

STATES GREFFE



Jersey

DRAFT POLICE FORCE (AMENDMENT No. 9)(JERSEY) LAW 200

European Convention on Human Rights

The President of the Home Affairs Committee has made the following statement –

In the view of the Home Affairs Committee, the provisions of the Draft Police Force (Amendment No. 9) (Jersey) Law 200- are compatible with the Convention Rights.

(Signed) **Senator W. Kinnard**

REPORT

The purpose of this draft Law is to amend Article 5 of the Police Force (Jersey) Law 1974, to enable all Parish Centeniers to charge a person with an offence under the Customs and Excise (Jersey) Law 1999 at the Customs Custody Suite at the Elizabeth Quay.

Article 5, as it currently stands, only allows for St. Helier Centeniers to carry out this role.

It is proposed that this draft Law should come into force at the same time as Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003.

There are no financial or manpower implications for the States arising from the adoption of this draft Law.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Committee in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 24th April 2003 the Home Affairs Committee made the following statement before Second Reading of this projet in the States Assembly -

In the view of the Home Affairs Committee the provisions of the Draft Police Force (Amendment No. 9)(Jersey) Law 200- are compatible with the Convention Rights.

Explanatory Note

This draft Law would amend Article 5 of the Police Force (Jersey) Law 1974.

Its effect would be to confer jurisdiction on an honorary police officer to charge a person at any place designated for the detention of arrested persons under Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003 (as applied to the Agent and officers of the Impôts by an Order made by the Home Affairs Committee under Article 107 of that Law).

The amending Law would come into force on a date to be appointed by the States, by Act.



Jersey

DRAFT POLICE FORCE (AMENDMENT No. 9)(JERSEY) LAW 200

Arrangement

Article

- 1 Interpretation
- 2 Article 1 amended
- 3 Article 5 amended
- 4 Citation and commencement



Jersey

DRAFT POLICE FORCE (AMENDMENT No. 9)(JERSEY) LAW 200

A LAW to amend further the Police Force (Jersey) Law 1974.^[1]

Adopted by the States [date to be inserted]

Sanctioned by Order of Her Majesty in Council [date to be inserted]

Registered by the Royal Court [date to be inserted]

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

1 Interpretation

In this Law, “principal Law” means the Police Force (Jersey) Law 1974^[2]

2 Article 1 amended

In Article 1 of the principal Law,^[3] after the definition “the Committee” there shall be inserted the following definition –

“ ‘designated Customs custody facility’ means any place that may be used for the purpose of detaining arrested persons, by the Agent of the Impôts or any officer of the Impôts, by virtue of the application of Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003^[4] by an Order made under Article 107 of that Law,^[5]”.

3 Article 5 amended

In Article 5(1) of the Police Force (Jersey) Law 1974^[6] after the words “any police station for the time being used by the Force,” there shall be inserted the following words “any designated Customs custody facility,”.

4 Citation and commencement

This Law may be cited as the Police Force (Amendment No. 9) (Jersey) Law 200 and shall come into force on such day as the States may by Act appoint.

[1] *Volume 1973-1974, page 375, Volume 1979-1981, page 171, Volume 1982-1983, page 55, Volume 1986-1987, pages 81 and 293, Volume 1992-1993, page 119, Volume 1996-1997, page 603, Volume 1998, page 603, Volume 1999, page 41 and Volume 2000, page 763.*

[2] *Volume 1973-1974, page 375, Volume 1979-1981, page 171, Volume 1982-1983, page 55, Volume 1986-1987, pages 81 and 293, Volume 1992-1993, page 119, Volume 1996-1997, page 603, Volume 1998, page 603, Volume 1999, page 41 and Volume 2000, page 763.*

[3] *Volume 1973-1974, page 375 and Volume 1982-1983, page 55.*

[4] *Volume 2003, page 48.*

[5] *Volume 2003, page 103.*

[6] *Volume 1973-1974, page 377 and Volume 1986-1987, page 293.*