



Jersey

# **POWERS OF ARREST (INJUNCTIONS) (JERSEY) LAW 1998**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

12.700

Showing the law from 1 January 2019 to Current





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## **POWERS OF ARREST (INJUNCTIONS) (JERSEY) LAW 1998**

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Jersey

## **POWERS OF ARREST (INJUNCTIONS) (JERSEY) LAW 1998**

**A LAW** to provide the Viscount and police officers with powers of arrest for breach of certain injunctions, and for connected purposes

Commencement [[see endnotes](#)]

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### **1 Interpretation<sup>1</sup>**

In this Law –

“Court”, except in Article 3(8), means the Inferior Number of the Royal Court or the Bailiff.

### **2 Application of the Law<sup>2</sup>**

This Law applies to an injunction containing a provision (in whatever terms) –

- (a) restraining a person from using violence against or molesting another;
- (b) excluding a person from specified premises or from a specified area; or
- (c) restraining a person from taking out of Jersey a person who has not attained the age of majority.

### **3 Powers of arrest**

- (1) Where the Court grants an injunction to which this Law applies, it may, if it considers it necessary to do so for the protection of any person referred to in the injunction, attach a power of arrest to the injunction.
- (2) Where the Court attaches a power of arrest to an injunction to which this Law applies, it shall specify the period for which the power has effect.
- (3) Where a power of arrest attached to an injunction to which this Law applies has effect, the Viscount or a police officer may, if the Viscount or police officer has reasonable cause to suspect that the person against whom the injunction was granted has acted, is acting or is about to act in breach of the injunction, arrest the person without warrant.

- (4) Where a power of arrest is not attached to an injunction to which this Law applies or has ceased to have effect, the Bailiff may, if satisfied by information on oath that a person named in the injunction is in breach of it, issue a warrant for the person's arrest.
- (5) A warrant issued under paragraph (4) may be executed by the Viscount or by any police officer.
- (6) Subject to paragraph (7), where the Viscount or a police officer executes a warrant issued under paragraph (4), the Viscount or police officer may do so notwithstanding that it is not in the Viscount's or police officer's possession at the time.
- (7) Where the Viscount or a police officer acts in pursuance of paragraph (6) the warrant shall, on the demand of the person arrested, be shown to the person as soon as possible.
- (8) A person arrested under paragraph (3) or (4) –
  - (a) shall be brought before the Court as soon as may be after the person's arrest; and
  - (b) shall not be released except by direction of the Court.
- (9) In paragraph (8) "Court" means the Inferior Number of the Royal Court.

#### **4 Citation**

This Law may be cited as the Powers of Arrest (Injunctions) (Jersey) Law 1998.

## ENDNOTES

### Table of Legislation History

Legislation	Year and Number	Commencement
Powers of Arrest (Injunctions) (Jersey) Law 1998 <sup>3</sup>	<a href="#">L.46/1998</a>	18 December 1998
Powers of Arrest (Injunctions) (Amendment) (Jersey) Law 2001	<a href="#">L.24/2001</a>	30 November 2001
States of Jersey Police Force Law 2012	<a href="#">L.37/2012</a>	1 August 2014 ( <a href="#">R&amp;O.87/2014</a> )

### Table of Renumbered Provisions

Original	Current
1(1)	1
1(2), (3), (4)	spent, omitted from this revised edition

### Table of Endnote References

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- <sup>1</sup> Article 1                                      amended by L.37/2012  
<sup>2</sup> Article 2                                      substituted by L.24/2001  
<sup>3</sup> 1 April 2011: Law Revision Board re-issued this Law as chapter 12.700; previously issued as chapter 08.720