

ORDER IN COUNCIL

XVI
1989

ratifying a Projet de Loi

ENTITLED

The Parole Review Committee (Guernsey) Law, 1989

(Registered on the Records of the Island of Guernsey
on the 18th July, 1989.)



1989

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 18th day of July, 1989 before Sir Charles Frossard, Kt., Bailiff; present:— Brian Ernest Herbert Joy, Harry Wilson Bisson, Herbert Nicolle Machon, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley and Kenneth John Rowe, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 13th June, 1989, approving and ratifying a *Projet de Loi* entitled "The Parole Review Committee (Guernsey) Law, 1989", THE COURT after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 13th day of June 1989

PRESENT,

The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey dated the 6th day of June 1989 in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth:—

“1. That, in pursuance of their Resolution of the 26th day of November 1986, the States of Deliberation at a meeting held on the 28th day of July 1988 approved a Bill or “Projet de Loi” entitled “The Parole Review Committee (Guernsey) Law, 1989”, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is set forth in the Schedule hereunto annexed and most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Parole Review Committee (Guernsey) Law, 1989”, and to order that the same shall have force of law in the Island of Guernsey.”

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, and it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

G. I. de Deney.

PROJET DE LOI

ENTITLED

The Parole Review Committee (Guernsey) Law, 1989

THE STATES, in pursuance of their Resolution of the 26th day of November, 1986, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

1. (1) There shall be established by Resolution of the States a committee ("the Committee").

Establishment of the Parole Review Committee.

(2) The constitution of the Committee shall be determined, from time to time, by Resolution of the States.

2. It shall be the general duty of the Committee, subject to the provisions of any Ordinance made under section 3 of this Law, to be responsible for:

Duties of the Committee.

(a) the release on licence of persons serving sentences of imprisonment in the Island of Guernsey ("prisoners") whose cases have been referred to it by the States Prison Board, on the grounds of their industry, good conduct, or likelihood of leading a good and useful life after release;

(b) the recall of such prisoners released on licence;

(c) the conditions to be attached to such licences, including the variation or revocation of such conditions; and

to be attached to such licences, including the variation or revocation of such conditions; and

- (d) any other matter connected with the release on licence or recall of such prisoners.

Control of
the
Committee
by the
States.

3. (1) The States may, from time to time, by Ordinance make such provision as they think fit to regulate the powers, duties and functions of the Committee.

(2) Without prejudice to the generality of subsection (1) an Ordinance thereunder, may:—

- (a) prescribe the practice and procedure to be followed in connection with the exercise by the Committee of its statutory duties;
- (b) authorise the disclosure and submission of documents and information to the Committee;
- (c) make such ancillary, incidental and supplemental provisions as the States consider necessary or expedient for the purposes of the Ordinance to provide;
- (d) confer any power upon the Committee which, in the opinion of the States, it is necessary for the Committee to enjoy in order to secure the effective discharge of its functions under section 2;
- (e) limit the civil liability of the Committee, its members and officers and any person exercising any power under this Law in respect of acts done in the performance of their duties.

Amendment
and repeal
of
Ordinances.

4. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to amend or repeal any prior Ordinance thereunder.

5. (1) This Law may be cited as the Parole Review Citation
Committee (Guernsey) Law, 1989. and com-
mencement.

(2) This Law shall come into force on such date
as the States may by Ordinance appoint.

A. G. LE CHEMINANT,
Her Majesty's Deputy Greffier.