

ORDER IN COUNCIL

**XV
2012**

ratifying a Projet de Loi

ENTITLED

The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011

(Registered on the Records of the Island of Guernsey
on the 5th November, 2012.)



2012

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

5th day of November, 2012 before John Russell Finch, Esquire, Judge of the Royal Court; present:- Susan Mowbray, Barbara Jean Bartie, David Osmond Le Conte, Stephen Murray Jones, Esquires, Claire Helen Le Pelley, Terry George Snell, David Percy Langley Hodgetts LVO, Esquires, Margaret Ann Spaargaren, Terry John Ferbrache, Esquire, Jurats.

Judge Finch having this day placed before the Court an Order of Her Majesty in Council dated 17th October, 2012 approving and ratifying a Projet de Loi entitled “The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller thereon, ORDERED:

1. That the said Order be registered on the records of this Island;
and
2. That an extract of this present Act, together with a copy of the said Order be sent by Her Majesty’s Greffier to the Greffier of the Court of Alderney and to the Sénéchal of Sark for registration on the records of those Islands respectively.



At the Court at Buckingham Palace

THE 17th DAY OF OCTOBER 2012

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

"In accordance with Your Majesty's General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

"That, in pursuance of their Resolution of 31st May 2007, the States of Deliberation at a meeting on 28th September 2011 approved a *Projet de Loi* entitled the Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the States of the Island of Alderney at a meeting held on 21st December 2011 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Alderney. That the Chief Pleas of the Island of Sark at a meeting held on 18th January 2012 considered the *Projet de Loi* when a Resolution was passed agreeing to the application to Sark. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011, and to order that it shall have force of law in the Bailiwick of Guernsey.

"The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it".

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Bailiwick of Guernsey and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty's Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

Richard Tilbrook

PROJET DE LOI

ENTITLED

The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011

THE STATES, in pursuance of their Resolution of the 31st May, 2007^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendment of the Law of 1972.

1. The Third Schedule to the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972^b is amended as follows.

2. In each of paragraphs 1 and 2, for the expression "twice level 5", substitute the expression "three times level 5".

3. In paragraph 3, for the words "ten years", substitute the expression "14 years".

Interpretation.

4. (1) The Interpretation (Guernsey) Law, 1948^c applies to the

^a Article XX of Billet d'État No. XIV of 2007.

^b Ordres en Conseil Vol. XXIII, p. 573; Vol. XXIV, p. 87; Vol. XXXI, p. 277; Vol. XXXIII, p. 217; Order in Council No. X of 2004; Ordinance Nos. XXXV and XLVIII of 2007; No. LV of 2008 and No. XLIV of 2009.

^c Ordres en Conseil Vol. XIII, p. 355.

interpretation of this Law throughout the Bailiwick.

(2) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Transitional and savings provisions.

5. (1) This Law has effect only in relation to an offence committed on or after the date on which it comes into force.

(2) The maximum penalty to which an offender is liable for an offence committed before the date on which this Law comes into force must, in any proceedings commenced on or after that date, be determined as if this Law were not in force.

Citation.

6. This Law may be cited as the Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2011.

S. M. SIMMONDS,
Her Majesty's Deputy Greffier

**Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.**

PRICE £0.50

Printed by Image Group, Caslon Court, Pitronnerie Road, St Peter Port, Guernsey GY1 3NE