

# PROJET DE LOI

ENTITLED

## **The Police Offences (Bailiwick of Guernsey) Law, 1989 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Ordres en Conseil Vol. XXXI, p. 460; as amended by the Government of Alderney (Amendment) Law, 2000 (No. I of 2000, Ordres en Conseil Vol. XL, p. 15). See also the Police Force (Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207).

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### ARRANGEMENT OF SECTIONS

1. Wasting police time.
2. Impersonation etc. of the police.
3. Section 3.
4. Citation.

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## **The Police Offences (Bailiwick of Guernsey) Law, 1989**

**THE STATES**, in pursuance of their Resolution of the 29<sup>th</sup> day of September, 1988, 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.

### **Wasting police time.**

1. Where a person causes any wasteful employment of an officer of police by knowingly making to any person a false report tending to show that an offence has been committed, or to give rise to apprehension for the safety of any persons or property, or tending to show that he has information material to any police enquiry, he shall be liable on conviction to imprisonment for not more than three months or to a fine of not more than level 5 on the uniform scale or to both.

### **Impersonation etc. of the police.**

2. (1) Any person who with intent to deceive impersonates an officer of police or makes any statement or does any act calculated falsely to suggest that he is such an officer, shall be guilty of an offence and liable on conviction to imprisonment for not more than three months or to a fine of not more than level 5 on the uniform scale or to both.

(2) Any person who, not being an officer of police wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of an officer of police as to be calculated to deceive shall be

guilty of an offence and liable on conviction to a fine of not more than level 3 on the uniform scale.

(3) Any person who, not being an officer of police (including a special constable), has in his possession any article of police uniform shall, unless he proves that he obtained possession of that article lawfully and has possession of it for a lawful purpose shall be guilty of an offence and liable on conviction to a fine of not more than level 2 on the uniform scale.

(4) In this section "**article of police uniform**" means any article of uniform or any distinctive badge or mark or identification document usually issued to an officer of police or anything having the appearance of such an article, badge, mark or document.

### **Section 3.**

3. In this Law "**officer of police**" means –

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey,
- (b) in relation to the Island of Alderney, a member of the said salaried police force, a member of any police force which may be established by the States of Alderney and, within the limits of his jurisdiction, a special constable appointed [or deemed to be appointed pursuant to the provisions of an Ordinance made under section 46A] of the Government of Alderney Law,

1987<sup>a</sup>,

- (c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.

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## NOTES

*In section 3, the words in square brackets in paragraph (b) were substituted by the Government of Alderney (Amendment) Law, 2000, section 2, with effect from 19th June, 2002.*

*In accordance with the provisions of the Police Force (Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.*

*The Government of Alderney Law, 1987 has since been repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.*

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## Citation.

4. This Law may be cited as the Police Offences (Bailiwick of Guernsey) Law, 1989.

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## NOTE

*The Law received Royal Sanction on 1st November, 1989 and was registered on the Records of the Island of Guernsey and came into force on 5th December, 1989.*

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<sup>a</sup> Order in Council No. IV of 1987.