

VIII  
1939

# ORDRE EN CONSEIL

INTITULÉ

## Loi relative aux Substances Explosives, 1939.

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(Enregistré sur les Records de l'Île de Guernesey le  
7 septembre 1939.)



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GUERNSEY "STAR" AND "GAZETTE" LTD.,  
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1939.

## ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ÎLE DE GUERNESEY.

*Le sept septembre mil neuf cent trente-neuf, par devant Victor Gosselin Carey, écuyer, Baillif ; présents : Jean Allès Simon, John Roussel, Osmond Priaule Gallienne, Arthur Dorey, Ernest de Garis, Jean Nicolas Robin, Cyril de Putron, Aylmer Mackworth Drake, John Leale, James Frederick Carey, écuyers, Messire Abraham James Lainé, K.C.I.E., et Dan Alfred Aubert, écuyer, Jurés.*

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du vingt-cinq juillet mil neuf cent trente-neuf, ratifiant un Projet de Loi intitulé "Loi relative aux substances explosives, 1939." La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné :—

- 1.—Que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile.
- 2.—Qu'un Extrait des Registres de ce présent Acte avec un exemplaire du dit Ordre seront expédiés par le Greffier du Roi à Monsieur le Juge d'Auregny afin d'être enregistrés sur les Records de la dite Ile.
- 3.—Qu'un Extrait des Registres de ce présent Acte avec un exemplaire du dit Ordre seront expédiés par le Greffier du Roi à Monsieur le Sénéchal de Sercq afin d'être enregistrés sur les Records de la dite Ile.

duquel Ordre la teneur suit :—

**LE 7 SEPTEMBRE 1939**

# At the Court at Buckingham Palace,

The 25th day of July, 1939.

Present,

## The King's Most Excellent Majesty

LORD PRESIDENT  
LORD THANKERTON

LORD RUSHLIFFE  
MR. BURGIN

SIR PHILIP MACDONELL,

**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 11th day of July, 1939, in the words following, viz. :—

**"Your Majesty** having been pleased by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey setting forth :—

' 1. That on the 29th day of April, 1939, the Royal Court adopted a Bill or "Projet de Loi" intituled "Loi relative aux Substances Explosives, 1939," and requested the Bailiff to submit the same to the States of Deliberation for approval : 2. That on the 9th day of June, 1939, the said Bill or "Projet de Loi" was duly considered by the States, when a resolution was passed approving the same and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto : 3. That the said Bill or "Projet de Loi," is in the words and figures set forth in the Schedule annexed to this Petition, 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 intituled "Loi relative aux Substances Explosives, 1939," and to order and direct that the same shall have the force of Law within the Bailiwick of 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.”

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

**And His 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 Licutenant Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His 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.

RUPERT B. HOWORTH.

**PROJET DE LOI** referred to in the foregoing Order  
in Council.

## **PROJET DE LOI**

INITULÉ

### **LOI RELATIVE AUX SUBSTANCES EX- PLOSIVES, 1939.**

LES ETATS ont approuvé les dispositions suivantes lesquelles, moyennant la Sanction de Sa Très Excellente Majesté en Conseil, auront force de Loi dans le Bailliage de l'Île de Guernesey.

1.—**SHORT TITLE.**—This Law may be cited as the Explosive Substances Law, 1939.

2.—**CAUSING EXPLOSION LIKELY TO ENDANGER LIFE OR PROPERTY.**—Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for life, or for any less term (not less than the minimum term allowed by law), or to imprisonment with or without hard labour for a term not exceeding two years.

3.—**ATTEMPT TO CAUSE EXPLOSION, OR FOR MAKING OR KEEPING EXPLOSIVE WITH INTENT TO ENDANGER LIFE OR PROPERTY.**—Any person who within or (being a subject of His Majesty) without His Majesty's dominions unlawfully and maliciously—

(a) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance an explosion in the Bailiwick of the Island of Guernsey of a nature likely to endanger life or to cause serious injury to property; or

- (b) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in that Bailiwick, or to enable any other person by means thereof to endanger life or cause serious injury to property in that Bailiwick,

shall, whether any explosion does or does not take place, and whether any injury to person or property has been actually caused or not, be guilty of felony, and on conviction shall be liable to penal servitude for a term not exceeding twenty years, or to imprisonment with or without hard labour for a term not exceeding two years, and the explosive substance shall be forfeited.

4.—**MAKING OR POSSESSION OF EXPLOSIVE UNDER SUSPICIOUS CIRCUMSTANCES.**—Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be guilty of felony, and, on conviction, shall be liable to penal servitude for a term not exceeding fourteen years, or to imprisonment for a term not exceeding two years with or without hard labour, and the explosive substance shall be forfeited.

5.—**PUNISHMENT OF ACCESSORIES.**—Any person who within or (being a subject of His Majesty) without His Majesty's dominions by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any crime under this Law, shall be guilty of felony, and shall be liable to be tried and punished for that crime, as if he had been guilty as a principal.

6.—PROCEDURE AND SAVING.—(1) For all purposes of and incidental to arrest, trial, and punishment, a crime for which a person is liable to be punished under this Law, when committed out of the Bailiwick of the Island of Guernsey, shall be deemed to have been committed in the place in that Bailiwick in which such person is apprehended or is in custody.

(2) This Law shall not exempt any person from any indictment or proceeding for a crime or offence which is punishable at common law, or by any Law other than this Law, but no person shall be punished twice for the same criminal act.

7.—SEARCH FOR AND SEIZURE OF EXPLOSIVE SUBSTANCES.—The provisions of Articles XXIV, XXVII and XXVIII of the Law entitled “Loi relative aux Explosifs” registered on the Records of the Island of Guernsey on the 4th day of February, 1905 (hereinafter called “the Law of 1905”) (which Articles relate to the search for, and seizure of explosive substances, and the forfeiture thereof) shall apply in like manner as if a crime or forfeiture under this Law were an offence or forfeiture under the Law of 1905.

8.—DEFINITIONS.—In this Law, unless the context otherwise requires—

The expression “explosive substance” shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement, or materials used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine, or implement.

A. J. ROUSSEL,  
Greffier du Roi.