

ADDENDUM

Additional Item for the Easter Meeting of Chief Pleas to be held on the 14th April 2021.

Under the Provisions of the Rules of Procedure of the Chief Pleas the Speaker of Chief Pleas has accepted the following item and added it to the Agenda. The notice period under Rule 1(4), is waived.

New Item 20.

20. To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled “**Police Support for Sark**” and to Approve the Projet de Loi entitled “**The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021**” (copies enclosed).

Lt Col RJ Guille MBE
Speaker of Chief Pleas

6th April 2021

NOTE:

The Addendum and supporting papers may be seen at the Committee Offices, Monday to Friday, 11am – 3pm and at other times when the offices are open; copies may be obtained from the Committee Office and may also be found on the Sark Government Website at www.sarkgov.co.uk

POLICY & FINANCE COMMITTEE
Report with proposition to Easter Chief Pleas, 14th April 2021

POLICE SUPPORT FOR SARK

At the Michaelmas Chief Pleas held on 2nd October, 2019, the Policy and Finance Committee issued a report requesting that Chief Pleas support an amendment to the Police Force (Guernsey) Law, 1986 to cover Sark. This is to enable police officers from other jurisdictions to lawfully conduct their duties in the island. This is particularly important where Guernsey Police are invited by Sark authorities to assist with policing events such as Royal visits, major investigations or critical incidents including those where civil contingency planning is required.

Today, the Committee brings the Projet de Loi which will give effect to these amendments. There are no obvious changes to what has been happening for many years, other than greater legal clarity. The current Service Level Agreement remains in force.

Proposition –

That Chief Pleas approves the Projet de Loi for The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021.

Conseiller John Guille
Chairman, Policy & Finance Committee

PROJET DE LOI

ENTITLED

The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021

THE STATES, in pursuance of their Resolution of the 16th January, 2020^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 Law of 1986.

1. (1) The Police Force (Bailiwick of Guernsey) Law, 1986 is amended as follows.

(2) In section 1(1) -

- (a) immediately after "agreement" insert ", whether directly or through any coordinating body," and
- (b) immediately after "demand on its resources" insert ", whether in the Island of Guernsey or elsewhere in the Bailiwick".

^a Article VII of Billet d'État No. I of 2020.

- (3) In section 2(1), substitute the following -
- (a) for "during their period of duty in the Island", the words "during their period of duty in the Bailiwick",
 - (b) for "force present in the Island", the words "force present in the Bailiwick", and
 - (c) for "the Courts of Guernsey in respect of their conduct within the Island", the words "the appropriate Court in respect of their conduct within the Bailiwick".
- (4) After section 2(1), insert the following subsection -
- "(1A) The "**appropriate Court**" in subsection (1) means -
- (a) the Court of Alderney, where a member of a force is within the jurisdiction of that Court,
 - (b) the Court of the Seneschal, where a member of a force is within the jurisdiction of that Court, and
 - (c) in any other case, the Magistrate's Court or, as the case may require, the Royal Court."

(5) In section 2(2), for "in the Island", substitute the words "in the Bailiwick".

(6) In section 2(3) -

- (a) for "in the Island", substitute the words "in the Bailiwick", and
- (b) immediately after "as amended", insert the words ", or to take any oath of office before the Court of the Seneschal pursuant to any of sections 52 to 54 of the Reform (Sark) Law, 2008^b or any oath or affirmation pursuant to section 47 of the Government of Alderney Law, 2004^c or any Ordinance thereunder."

(7) In section 4, immediately before "Guernsey" insert "Bailiwick of".

Application of Law of 1986 to the Bailiwick.

2. The Police Force (Bailiwick of Guernsey) Law, 1986^d and any regulations under it shall apply to the Bailiwick of Guernsey, including the territorial sea adjacent to it, and any reference to in or within the Bailiwick shall be construed accordingly.

Extent.

3. This Law shall have effect in the Bailiwick of Guernsey (including, for

^b Order in Council No. V of 2008; amended by Nos. VI and XXVII of 2008; No. XIV of 2010; No. XII of 2011; No. XI of 2014; No. IX of 2016; No. II of 2017; Sark Ordinance Nos. II and VI of 2015; No. XI of 2017; No. XIII of 2018.

^c Order in Council No. III of 2005, Ordres en Conseil Vol. XLV, p. 26; there are amendments not relevant to these Regulations.

^d Order in Council No. XII of 1986 as amended by Ordinance No. XXXIII of 2003; No. IX of 2016.

the avoidance of doubt, the territorial sea adjacent to it).

Citation.

4. This Law may be cited as the Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021.

Commencement.

5. This Law shall come into force on the day appointed by Ordinance of the States; and different dates may be appointed for different provisions and for different purposes.