

1983 No. 1897

**IMMIGRATION
CRIMINAL LAW, ENGLAND AND WALES**

The Criminal Justice Act 1982 (Guernsey) Order 1983

Made - - - - - 21st December 1983
Coming into Operation 21st January 1984

At the Court at Buckingham Palace, the 21st day of December 1983

Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 36 of the Immigration Act 1971^(a) and section 81(11) of the Criminal Justice Act 1982^(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Criminal Justice Act 1982 (Guernsey) Order 1983 and shall come into operation on 21st January 1984.
2. Section 64 (including Schedule 10) of the Criminal Justice Act 1982 shall extend to the Bailiwick of Guernsey.
3. The Immigration (Guernsey) Order 1972^(c) shall be varied in accordance with the provisions of the Schedule to this Order.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE

Article 3

VARIATIONS TO THE IMMIGRATION (GUERNSEY) ORDER 1972

For paragraph 30 of the Schedule there shall be substituted the following paragraph:—

“30. In Schedule 3 (as amended by Schedule 10 to the Criminal Justice Act 1982)—

(a) paragraph 2(2) shall be omitted;

(b) in paragraphs 2(3), (4) and (6), references to paragraph 2(2) shall be omitted;

^(a) 1971 c. 77.

^(b) 1982 c. 48.

^(c) S.I. 1972/1719, as amended by S.I. 1982/1834.

- (c) paragraph 3 shall be omitted;
 - (d) in paragraph 6(1), the words “, except in a case to which subparagraph (2) below applies,” shall be omitted;
 - (e) paragraph 6(2), (3), (4) and (5) shall be omitted;
 - (f) in paragraph 7(1), for the words “the relevant part of” there shall be substituted the words “any part of”;
 - (g) paragraph 7(2) shall be omitted;
 - (h) for paragraph 8(1) there shall be substituted the following provision:—
 - “8(1) A person arrested in any part of the Bailiwick of Guernsey in pursuance of paragraph 7 above shall be brought as soon as practicable and in any event within 24 hours after his arrest before—
 - (a) if he was arrested in the Island of Guernsey, the Magistrate;
 - (b) if he was arrested in the Island of Alderney, the Chairman of the Court of Alderney;
 - (c) if he was arrested in the Island of Sark, the Seneschal of Sark.”;
 - (i) paragraph 9 shall be omitted; and
 - (j) in paragraph 10, for the words from the beginning to “8 or 9 above” there shall be substituted the words “The Magistrate, the Chairman of the Court of Alderney or the Seneschal of Sark, as the case may be, before whom a person is brought by virtue of paragraph 8 above”.
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EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to the Bailiwick of Guernsey section 64 of, and Schedule 10 to, the Criminal Justice Act 1982. Those provisions of that Act amend Schedule 3 to the Immigration Act 1971 (which contains supplementary provisions as to deportation.) The Order also makes consequential variations to the Immigration (Guernsey) Order 1972 (S.I. 1972/1719), by which provisions of the 1971 Act are extended to the Bailiwick, so as to modify Schedule 3 to the 1971 Act (as amended by the 1982 Act and extended to the Bailiwick).