
STATUTORY INSTRUMENTS

1992 No. 1308

**The Serbia and Montenegro (United Nations
Sanctions) (Channel Islands) Order 1992**

Penalties and proceedings

17.—(1) Any person guilty of an offence under article 6(4) or (5) or 11(2) above shall be liable, in the Bailiwick of Guernsey—

- (a) on conviction on indictment to imprisonment for a term not exceeding seven years or to a fine or to both;
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both,

and, in the Bailiwick of Jersey, on conviction to imprisonment for a term not exceeding seven years or to a fine or to both.

(2) Any person guilty of an offence under article 15(11)(b)(ii) above or paragraph 5(b) or (d) of the Schedule to this Order shall be liable, in the Bailiwick of Guernsey—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both;
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both,

and, in the Bailiwick of Jersey, on conviction to imprisonment for a term not exceeding two years or to a fine or to both.

(3) Any person guilty of an offence under article 13(1) or (2) or article 14(3) above shall be liable, in the Bailiwick of Guernsey—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both;
- (b) on summary conviction to a fine not exceeding the statutory maximum, and, in the Bailiwick of Jersey, on conviction to imprisonment for a term not exceeding two years or to a fine or to both.

(4) Any person guilty of an offence under article 14(2) above shall be liable—

- (a) in the Bailiwick of Guernsey, on summary conviction to a fine not exceeding level 5 on the standard scale; and
- (b) in the Bailiwick of Jersey, on conviction to a fine.

(5) Any person guilty of an offence under article 15(11)(a), (b)(i) or (c) above or paragraph 5(a) or (c) of the Schedule to this Order shall be liable—

- (a) in the Bailiwick of Guernsey, on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or to both; and
- (b) in the Bailiwick of Jersey, on conviction to imprisonment for a term not exceeding six months or to a fine or to both.

(6) Where any body corporate is guilty of an offence under this Order, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(7) Summary proceedings in the Bailiwick of Guernsey and any proceedings in the Bailiwick of Jersey for an offence under this Order, being an offence alleged to have been committed outside the Bailiwick in question, may be commenced at any time not later than twelve months from the date on which the person charged first enters that Bailiwick after committing the offence.

(8) Proceedings against any person for an offence under this Order may be taken before the appropriate court in the Bailiwick of Guernsey or the Bailiwick of Jersey having jurisdiction in the place where that person is for the time being.

(9) No proceedings for an offence under this Order, in its application to the Bailiwick of Jersey, shall be instituted except by or with the consent of the Attorney General for Jersey:

Provided that this paragraph shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained.