
STATUTORY INSTRUMENTS

1992 No. 3202

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice Act 1982 (Guernsey) Order 1992

Made - - - - - *17th December 1992*

Coming into force - - - - - *1st February 1993*

At the Court at Buckingham Palace, the 17th day of December 1992

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 81(11) of the Criminal Justice Act 1982⁽¹⁾ and section 102(7) of the Criminal Justice Act 1991⁽²⁾, 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 1992 and shall come into force on 1st February 1993.

2. It is hereby directed that—

- (a) section 37 of the Criminal Justice Act 1982 as amended by section 17(1) of the Criminal Justice Act 1991; and
- (b) section 32 of the Magistrates' Courts Act 1980⁽³⁾ as amended by section 17(2) of the Criminal Justice Act 1991,

shall extend to the Bailiwick of Guernsey subject to the modifications specified in the Schedule to this Order.

3. Article 2 of and paragraphs 3 and 5 of Schedule 1 to the Criminal Justice Act 1982 (Guernsey) Order 1986⁽⁴⁾ are hereby revoked to the extent that they relate to section 37 of the Criminal Justice Act 1982 and section 32 of the Magistrates' Courts Act 1980.

(1) 1982 c. 48.
(2) 1991 c. 53.
(3) 1980 c. 43.
(4) S.I.1986/1884.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

N.H.Nicholls
Clerk of the Privy Council

SCHEDULE

Article 2

MODIFICATIONS IN THE EXTENSION OF PROVISIONS TO THE BAILIWICK OF GUERNSEY

1. In section 37(3) of the Criminal Justice Act 1982, for all the words from the beginning to “after this Act)” there shall be substituted the words “Where any enactment contained in an Act of Parliament and extending to the Bailiwick of Guernsey (whether that Act was passed before or after this Act)”.

2. In section 32 of the Magistrates' Courts Act 1980—

(a) for subsection (1) there shall be substituted the following subsection:—

“(1) On summary conviction of any offence under section 20 of the Telegraph Act 1868⁽⁵⁾ (disclosing or intercepting messages) or section 3 of the Submarine Telegraph Act 1885⁽⁶⁾ (damaging submarine cables) a person shall be liable to imprisonment for a term not exceeding 6 months or to a fine not exceeding the prescribed sum or both.”;

(b) in subsection (2), for the words “listed in Schedule 1 to this Act, being” there shall be substituted the words “an offence mentioned in subsection (1) above but which is”;

(c) subsections (5) and (8) shall be omitted;

(d) in subsection (9), after the words “In this section” there shall be inserted the following definition:—

““enactment” means an enactment contained in an Act of Parliament and extending to the Bailiwick of Guernsey;”;

and in the definition of “relevant enactment”, after the words “same Session” there shall be inserted the words “of Parliament”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Bailiwick of Guernsey, subject to modifications, provisions of the Magistrates' Courts Act 1980 and the Criminal Justice Act 1982 which impose maximum levels on certain fines and create a standard scale of fines respectively; those provisions are extended as amended by section 17 of the Criminal Justice Act 1991, which increased the levels. An earlier Order extending those provisions is revoked in part.

⁽⁵⁾ 1868 c. 110.

⁽⁶⁾ 1885 c. 49.