
STATUTORY INSTRUMENTS

1997 No. 2967

ANTARCTICA

The Antarctic (Jersey) Regulations 1997

Made - - - - 10th December 1997

Coming into force in accordance with regulation 1(2)

In exercise of the powers conferred on me by sections 9(1), 10(1), 11(1), 14(1), 25(1) and (3), 29 and 32 of the Antarctic Act 1994⁽¹⁾, together with the definition of “regulations” in section 31(1) of that Act, as that Act has effect in the Bailiwick of Jersey by virtue of the Antarctic Act 1994 (Jersey) Order 1995⁽²⁾, I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Antarctic (Jersey) Regulations 1997.

(2) These Regulations shall come into force upon being registered by the Royal Court of Jersey.

2. The provisions of the Antarctic Regulations 1995⁽³⁾ shall, subject to the modifications specified in the Schedule to these Regulations, have effect in the Bailiwick of Jersey and shall form part of the law of the Bailiwick of Jersey.

Home Office
10th December 1997

Jack Straw
One of Her Majesty’s Principal Secretaries of
State

(1) 1994 c. 15.

(2) S.I.1995/1034.

(3) S.I. 1995/490. The Antarctic Regulations 1995 came into force in the United Kingdom on 1st November 1995; see S.I. 1995/2741.

SCHEDULE

Regulation 2

MODIFICATIONS TO THE ANTARCTIC REGULATIONS 1995

1. In regulation 1 (citation and commencement), the words from “and shall come into force” onwards are omitted.
2. In regulation 2 (interpretation)—
 - (a) in paragraph (1), after “1994” there is inserted “as extended to Jersey”;
 - (b) in paragraphs (5) and (6), for “bank holiday in any part of the United Kingdom” there is substituted “public or bank holiday in Jersey”;
 - (c) after paragraph (6) there is inserted—

“(7) In these Regulations—

“the Attorney General” means the Attorney General for Jersey;

“customs officer” means the Agent of the Impôts or any other officer of the Impôts;

“immigration officer” means an immigration officer appointed pursuant to Part 1 of Schedule 2 to the Immigration Act 1971(4) as extended to Jersey by the Immigration (Jersey) Order 1993(5);

“Jersey” means the Bailiwick of Jersey;

“police officer” means a member of the Honorary Police or a member of the States of Jersey police force.”.
3. In regulation 9(5) (production of permits), for sub-paragraph (a) of the definition of “authorised person” there is substituted—

“(a) in Jersey

 - (i) a Jurat or the Magistrate;
 - (ii) a police officer;
 - (iii) a customs officer;
 - (iv) an immigration officer; or
 - (v) any other person authorised by the Attorney General in writing for the purpose of this regulation either generally or in a particular case;”.
4. In regulation 17 (application of Part 5), for “Secretary of State” there is substituted “Attorney General”.
5. In regulation 18 (arrest and conveyance in custody)—
 - (a) in paragraph (1), for “A court in any part of the United Kingdom having jurisdiction in respect of the offence” there is substituted “The Bailiff”; “in that court” is omitted; and for “that part of the United Kingdom” there is substituted “Jersey”;
 - (b) in paragraph (2), for “British ship or British aircraft” there is substituted “British ship, British aircraft or British hovercraft”;
 - (c) in paragraph (3), for the words from “shall have” onwards there is substituted “shall, whether within or outside Jersey, have all the powers, authority, protection and privileges of a police officer”;
 - (d) in paragraph (4), for “a constable” there is substituted “an officer of police”;

(4) 1971 c. 77.

(5) S.I. 1993/1797.

- (e) in paragraph (5), for the words from ““British ship”” to “1988” there is substituted ““British ship” means a British ship for the purpose of the Merchant Shipping Act 1995(6)”;
 - (f) for paragraph (6) there is substituted—
 - “(6) In paragraph (4), “officer of police” means—
 - (a) in relation to Jersey, a police officer; or
 - (b) in relation to a British territory outside Jersey, any person who in that territory is, or has the powers of, a constable or officer of police.”.
 - 6. In regulation 19 (physical evidence)—
 - (a) in paragraph (1), for “the United Kingdom” there is substituted “Jersey”;
 - (b) in paragraph (2), for “Secretary of State” there is substituted “Attorney General”.
 - 7. In regulation 20 (attendance of witnesses)—
 - (a) in paragraph (1), for “Secretary of State” there is substituted “Attorney General”; and for “the place in the United Kingdom” there is substituted “Jersey”;
 - (b) in paragraph (2), for “Secretary of State” there is substituted “Attorney General”; and for “he” there is substituted “the Bailiff on the application of the Attorney General”;
 - (c) in paragraph (4), for “the United Kingdom” there is substituted “Jersey”.
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the Antarctic Regulations 1995 to have effect in the Bailiwick of Jersey, subject to the modifications specified in the Schedule.