

SCHEDULE 1

Article 2(1)

Modifications of the 1978 Act in its Extension to Jersey

1. In section 1(1), for the first reference to “the United Kingdom”, substitute “Jersey”.
2. In section 2(1)—
 - (a) omit subsections (3) and (6);
 - (b) in subsection (5) for the words from “liable” to the end substitute “liable on conviction to a term of imprisonment not exceeding two years or to a fine or to both”.
3. In section 3—
 - (a) in subsection (1), for the words from “Secretary of State” to “him”, substitute “Policy and Resources Committee shall by Order make such provision as appears to it”;
 - (b) in subsection (1)(a), for “the United Kingdom” substitute “Jersey”;
 - (c) for subsection (2) substitute—

“(2) An Order under this section may provide that any person contravening or failing to comply with any provision of the Order shall be liable on conviction to a fine not exceeding level 4 on the standard scale.”;
 - (d) for subsection (3) substitute—

“(3) In this section references to “the standard scale” mean the standard scale of fines specified for the time being in the Schedule to the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, as amended.”.
4. For section 4(1) substitute—

“(1) Where an offence under section 2 above or under an Order made under section 3 above, committed by a limited liability partnership or body corporate, is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—

 - (a) a person who is a partner of the partnership, or a director, manager, secretary or similar officer of the body corporate; or
 - (b) any person purporting to act in any such capacity,

the person shall also be guilty of the offence and liable in the same manner as the partnership or body corporate to the penalty provided for that offence.”.
5. Omit section 5(2).
6. Omit section 6(2).

(1) Section 11(3) of the 2000 Act amends section 2 of the 1978 Act. Article 2(2) and Schedule 2 to this Order provide for the extension and modification of those amendments.

(2) Section 5, as enacted, was repealed by section 112(4) and Schedule 18 to the Electricity Act 1989 (c. 29).