

SCHEDULE

PART II

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF PROVISIONS OF THE BROADCASTING ACT 1990 TO GUERNSEY

1. Any reference to an Act of Parliament, or to a provision thereof, shall be construed, unless the contrary intention appears, as a reference to that Act or provision as it has effect in Guernsey.

2. In section 172, in the subsection (3) which subsection (4) substitutes for section 14(3) of the Wireless Telegraphy Act 1949⁽¹⁾—

(a) paragraph (b) shall be omitted;

(b) for paragraph (d) there shall be substituted:

“(d) any offence under this Act which is an offence under the Wireless Telegraphy Apparatus (Bailiwick of Guernsey) Law 1994;”;

(c) for the words “Secretary of State” there shall be substituted “Crown for the benefit of the Crown revenues in the Bailiwick of Guernsey”.

3. In Schedule 16 (amendments to Marine, &c., Broadcasting (Offences) Act 1967) (“the 1967 Act”)—

(a) for paragraph 1(2) there shall be substituted—

“(2) In subsection (1)(a), for “external waters or in tidal waters in the Bailiwick of Guernsey” substitute “any waters to which this section applies”.”;

(b) in the subsection (3) inserted by paragraph 1(3) after section 2(2) of the 1967 Act for the words “United Kingdom” there shall be substituted “Bailiwick of Guernsey”;

(c) in the section 2A inserted by paragraph 2 after section 2 of the 1967 Act—

(i) in subsection (1)(a) for the words after “prescribed” there shall be substituted “for the purposes of this section as it has effect in the United Kingdom by any order for the time being in force in relation to the United Kingdom”,

(ii) in subsection (1)(b) for the words “United Kingdom” there shall be substituted “Bailiwick of Guernsey”,

(iii) in subsection (4) after the words “United Kingdom” there shall be inserted “and the Bailiwick of Guernsey”, and

(iv) subsection (5) shall be omitted;

(d) in the section 3A inserted by paragraph 4 after section 3 of the 1967 Act, in subsection (1) for the words “United Kingdom” there shall be substituted “Bailiwick of Guernsey”;

(e) for paragraph 7(2) there shall be substituted—

“(2) For subsection (1) there shall be substituted—

“(1) A person guilty of an offence under this Act shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months, to a fine not exceeding level 5 on the standard scale, or to both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 2 years, to a fine or to both.”.”;

(f) in the section 7A inserted by paragraph 8 after section 7 of the 1967 Act—

(1) Subsection (3) of section 14 had previously been substituted by section 82 of the Telecommunications Act 1984.

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

- (i) for subsection (1)(b) there shall be substituted—
 - “(b) officers of police;”,
 - (i) for subsection (1)(d) there shall be substituted—
 - “(d) officers of customs and excise; and”,
 - (iii) in subsection (2)(a) for the words “United Kingdom”, where first occurring, there shall be substituted “Bailiwick of Guernsey”, and
 - (iv) in subsection (6) for the words “United Kingdom” there shall be substituted “Bailiwick of Guernsey”; and
- (g) after paragraph 8 there shall be inserted—
- “**9.** In section 9(1) (interpretation) there shall be inserted, in the appropriate place, the following definition—
- ““officer of police” means—
 - (a) in relation to Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limit of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
 - (b) in relation to Alderney, a member of the said police force and a member of any police force which may be established by the States of Alderney; and
 - (c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.””.