

STATES OF JERSEY ORDER PAPER

Tuesday 30th November 2004

THIRD SUPPLEMENTARY

B. **TABLING OF SUBORDINATE LEGISLATION**

(Explanatory note attached)

Police Procedures and Criminal Evidence (Relevant Offences)
(Jersey) Order 2004. R&O 139/2004.
Home Affairs Committee.

Police Procedures and Criminal Evidence (Police Forces and
Authorities) (Jersey) Order 2004. R&O 140/2004.
Home Affairs Committee.

Police Procedures and Criminal Evidence (Application to Customs
and Excise) (Jersey) Order 2004. R&O 141/2004.
Home Affairs Committee.

Police Procedures and Criminal Evidence (Testing for Class A drugs)
(Jersey) Order 2004. R&O 142/2004.
Home Affairs Committee.

Police Procedures and Criminal Evidence (Codes of Practice)
(Jersey) Order 2004. R&O 143/2004.
Home Affairs Committee.

Post Office (General Provisions) (Amendment No. 57) (Jersey)
Order 2004. R&O 144/2004.
Committee for Postal Administration.

Post Office (Foreign Post Provisions) (Amendment No. 32) (Jersey)
Order 2004. R&O 145/2004.
Committee for Postal Administration.

D. **PRESENTATION OF PAPERS**

(a) **Papers for information**

Matters presented under Standing Order 6A(1)(a)

Agri-environment Scheme: Shadow Scrutiny Panel Report. S.R.2/2004.
Senator E.P. Vibert.

Development of a Cultural Strategy for the Island (P.172/2004): P.172/2004.
comments. Com.
Finance and Economics Committee.

Jersey Airport: Fireground Remediation – Deed of Settlement
(P.176/2004) – comments. P.176/2004.
Finance and Economics Committee. Com.(2)

Draft Harbours (Amendment No. 38) (Jersey) Regulations 200
(P.183/2004): comments. P.183/2004.
Finance and Economics Committee. Com.

Draft Amendment (No. 29) to the Tariff of Harbour and Light Dues
(P.185/2004): comments. P.185/2004.
Finance and Economics Committee. Com.

Draft Regulation of Investigatory Powers (Jersey) Law 200-
(P.196/2004): comments. P.196/2004.
Finance and Economics Committee. Com.

(d) Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)

Draft Health Insurance (Medical Benefit) (Amendment No. 60)
(Jersey) Regulations 200-. P.213/2004.
Employment and Social Security Committee.

K. PUBLIC BUSINESS
(outstanding matters)

St. Clement: pedestrian improvements. P.158/2004.
Lodged: 14th September 2004.
Deputy G.C.L. Baudains of St. Clement.

St. Clement: pedestrian improvements (P.158/2004) – comments. P.158/2004.
Presented: 23rd November 2004. Com.
Environment and Public Services Committee.

St. Clement: pedestrian improvements (P.158/2004) – comments. P.158/2004.
Presented: 23rd November 2004. Com.(2)
Finance and Economics Committee.

Child Care Scheme for low income families: amendments. P.173/2004.
Lodged: 12th October 2004.
Deputy G.P. Southern of St. Helier.

Child Care Scheme for low income families: amendments P.173/2004.
(P.173/2004) – comments. Com.
Presented: 9th November 2004.
Education, Sport and Culture Committee.

Child Care Scheme for low income families: amendments
(P.173/2004) – comments.
Presented: 23rd November 2004.
Employment and Social Security Committee.

P.173/2004.
Com.(2)
re-issue

Child Care Scheme for low income families: amendments
(P.173/2004) – comments.
Presented: 23rd November 2004.
Finance and Economics Committee.

P.173/2004.
Com.(3)

Child Care Scheme for low income families: amendments
(P.173/2004) – comments.
Presented: 23rd November 2004.
Policy and Resources Committee.

P.173/2004.
Com.(4)

M.N. DE LA HAYE
Greffier of the States

29th November 2004.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 139/2004

This Order specifies that all offences shall be relevant offences for the purposes of the Police Procedures and Criminal Evidence (Jersey) Law 2003. What is or is not a relevant offence is pertinent to the following provisions –

Article 49, being a power to require a person to attend for fingerprints to be taken following conviction for a relevant offence.

Article 55(3) and (4), being a power to take, without consent, the fingerprints of a person in detention, charged with or suspected of committing a relevant offence.

Article 55(9), being a power to take fingerprints of any person convicted of a relevant offence.

Article 56(2) and (3), in which the power to authorize the taking of an intimate sample depends upon a suspicion that the person has been involved in a relevant offence and that the sample will prove or disprove that involvement. The person's consent is still required.

Article 57(4), being a power to take a non-intimate sample, without consent, from a person charged with or suspected of committing a relevant offence.

Article 57(5), being a power to take a non-intimate sample, without consent, from a person convicted of a relevant offence.

Article 58(1), being a power to check the fingerprints of a person charged with, or arrested for or who has been told that he or she may be prosecuted for, a relevant offence, against records held by other police forces.

Article 58(7), being a power to require a person charged with or who has been told that he or she may be prosecuted for, a relevant offence, to provide a sample.

The Order was made on 25th November 2004, and comes into force on 1st December 2004.

R&O 140/2004

The Police Procedures and Criminal Evidence (Jersey) Law 2003 already permits fingerprints and samples taken from a person arrested for a suspected offence to be checked against records held by the States of Jersey Police or by any police force elsewhere in the British Islands. This Order specifies further police forces, authorities and persons against whose records fingerprints and samples may be checked.

The Order was made on 25th November 2004, and comes into force on 1st December 2004.

R&O 141/2004

This Order applies certain provisions of the Police Procedures and Criminal Evidence (Jersey) Law 2003 to investigations conducted by the Agent and officers of the Impôts in relation to assigned matters, being any matters in relation to which the Agent and officers have a statutory duty to perform functions, such as their functions under the Customs and Excise (Jersey) Law 1999.

In particular, the provisions of the 2003 Law of the following kind are applied -

- (a) regulating the exercise of powers of entry, search and seizure;
- (b) regulating the treatment of a person on arrest;
- (c) regulating searches of persons detained at customs offices.

Officers of the Impôts will be expected to adhere to Codes of Practice brought into operation under the 2003 Law. The Order was made on 25th November 2004, and comes into force in accordance with Article 7.

R&O 142/2004

Under Article 59 of the Police Procedures and Criminal Evidence (Jersey) Law 2003, where a person of full age is in police detention and has been charged with one of the offences specified in that Article, a urine or non-intimate sample may be taken from the person to ascertain whether he or she has any specified Class A drug in his or her body.

This Order specifies the Class A drugs for which the person may be tested and the persons who may take the sample.

The Order was made on 25th November 2004 and comes into force on 1st December 2004.

R&O 143/2004

This Order gives effect to codes of practice to which police officers, and any other persons responsible for investigating offenders or charging offenders, must have regard when exercising powers or discharging functions under the Police Procedures and Criminal Evidence (Jersey) Law 2003.

The Order was made on 25th November 2004, and comes into force on 1st December 2004.

R&O 144/2004

This Order increases postal charges on postal packets to places in the British Islands by between 3% and 4.8% with effect from 2nd April 2005. The charges were last increased a year earlier.

The Order was made on 29th November 2004, and comes into force on 2nd April 2005.

R&O 145/2004

This Order increases postal charges on postal packets to places outside the British Islands by between 2.1% and 4.8% with effect from 2nd April 2005. The charges were last increased a year earlier.

The Order was made on 29th November 2004, and comes into force on 2nd April 2005.