

Jersey Law 34/1997

EXPLOSIVES (AMENDMENT No. 2) (JERSEY) LAW 1997

A LAW to amend further the Explosives (Jersey) Law 1970, sanctioned by Order of Her Majesty in Council of the

22nd day of JULY 1997

(Registered on the 29th day of August 1997)

STATES OF JERSEY

The 8th day of April 1997

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

ARTICLE 1

(1) Paragraph (9) of Article 2 of the Explosives (Jersey) Law 1970,¹ as amended (hereinafter referred to as “the principal Law”) shall be deleted.

(2) In paragraph (3) of Article 12 of the principal Law² for the words “one hundred pounds” there shall be substituted the words “level 3 on the standard scale”.³

(3) In paragraph (2) of Article 14 of the principal Law for the words “twenty pounds” and “two pounds” there shall be substituted the words “level 2 on the standard scale” and “level 1 on the standard scale” respectively.

¹ Volume 1970–1972, page 171.

² Volume 1970–1972, page 175, and Volume 1975–1978, page 400.

³ Volume 1992–1993, page 437.

Jersey Law 34/1997 Explosives (Amendment No. 2) (Jersey) Law 1997

ARTICLE 2

For Article 17 of the principal Law there shall be substituted the following new Article –

“ARTICLE 17

Offences

Any person who contravenes or fails to comply with any provision of this Law for which no specific penalty is provided, or contravenes or fails to comply with any condition attached to any licence granted to him shall be liable –

- (a) in the case of an offence in relation to the sale of fireworks to a fine not exceeding level 4 on the standard scale; or
- (b) in any other case to a fine or to imprisonment for a period not exceeding two years, or to both,

and the court may order the explosives to which the offence relates to be forfeited and destroyed or disposed of in such other manner as it thinks fit.”.

ARTICLE 3

After Article 17 of the principal Law there shall be inserted the following new Article –

“ARTICLE 17A

Forfeiture and destruction of explosives

(1) A police officer or any officer having a power of inspection under Article 12 of this Law may seize or detain any explosives which he reasonably suspects have been or will be

*Jersey Law 34/1997 Explosives (Amendment No. 2) (Jersey) Law
1997*

dealt with in any way contrary to this Law and such explosives shall be liable to forfeiture.

(2) Any explosives seized or detained under this Article may be stored pending the determination of their liability to forfeiture and in such event, Article 4 of this Law shall not apply to such storage.

(3) The Attorney General may, at the request of the Committee and after having given notice to the owner or other person who may have an interest in the explosives seized or detained, bring proceedings in the Royal Court for the forfeiture of those explosives.

(4) Subject to paragraph (5) of this Article, where proceedings have been brought under paragraph (3) of this Article, the court may order the explosives seized or detained to be forfeited and destroyed or disposed of in such other manner as it thinks fit.

(5) No order shall be made under paragraph (4) of this Article unless the court, having given an opportunity for the owner or other person who may have an interest in the explosives to show cause why the order should not be made, is satisfied that the explosives were or were to be dealt with in any way contrary to this Law.”.

ARTICLE 4

This Law may be cited as the Explosives (Amendment No. 2) (Jersey) Law 1997 and shall come into force on such day as the States may by Act appoint.

G.H.C. COPPOCK

Greffier of the States.