



Jersey

CRIMINAL PROCEDURE (JERSEY) LAW 2018 (APPOINTED DAY) (No. 2) ACT 2019

Made 23rd October 2019
Coming into force 23rd October 2019

THE STATES make this Act under Article 119 of the Criminal Procedure (Jersey) Law 2018¹ –

1 Commencement of certain provisions of the Criminal Procedure (Jersey) Law 2018

The following provisions of the Criminal Procedure (Jersey) Law 2018² come into force on 31st October 2019 –

- (a) Part 2 (the overriding objective);
- (b) Part 3 (the active management of criminal proceedings);
- (c) Part 4 (role of the Attorney General) with the exception in Article 14 (Attorney General's power to initiate proceedings directly in the Royal Court) of the following words –
 - (i) in paragraph (1), “and Article 43 applies for the purpose of initiating proceedings”, and
 - (ii) in paragraph (3), “referred to in Article 43”;
- (d) Article 66 (selection of persons for jury service) with the exception, in paragraph (4)(a), of the words “under Article 65”;
- (e) Article 67 (offence of failing to attend or serve as a juror) except for sub-paragraph (a) of paragraph (1);
- (f) Article 68 (non-selection of person for jury service – family relationship);
- (g) Article 69 (non-selection of person for jury service by reason of successful challenge) with the exception of paragraph (5);
- (h) Articles 70 (swearing of jurors), 71 (reduction in number of jurors), 72 (conduct of jury), 73 (surrender of communication devices), 74 (offence: research by jurors), and 75 (verdicts);
- (i) Part 10 (miscellaneous procedures in Magistrate's Court and Royal Court);
- (j) Article 114 (including Schedule 2) (quashing of acquittal and retrial);
- (k) Article 116 (Police Procedures and Criminal Evidence (Jersey) Law 2003³ amended) except that paragraph 10 (Parts 10 and 12 and Schedule 4 repealed) of Schedule 3 comes into force only to the extent of repealing the

- following provisions of the Police Procedures and Criminal Evidence (Jersey) Law 2003 –
- (i) Article 106 (contemporary reports of criminal proceedings) in Part 12 (reporting of committal and other criminal proceedings) of that Law, and
 - (ii) Schedule 4 (provisions supplementary to Articles 64 to 69) to that Law;
- (l) Article 117 (miscellaneous enactments amended) to the extent only of the following provisions in Schedule 4 (enactments consequentially amended) –
- (i) paragraph 3 (Court of Appeal (Jersey) Law 1961⁴ amended), and
 - (ii) in paragraph 6 (Criminal Justice (Evidence and Procedure) (Jersey) Law 1998⁵ amended) –
 - (A) sub-paragraph (a) except for the words “and “and depositions””, and
 - (B) sub-paragraphs (b)(i) and (d);
- (m) Article 118 (enactments repealed) to the extent that only –
- (i) the following provisions of the Loi (1864) réglant la Procédure Criminelle⁶ (listed in Schedule 5 at paragraph (4)) are repealed –
 - (A) Article 10A,
 - (B) Article 33,
 - (C) Articles 35 and 36,
 - (D) Articles 38 to 41,
 - (E) Articles 43 to 50,
 - (F) Articles 55 and 56,
 - (G) Articles 70 to 72A, and
 - (H) Article 72B.
 - (ii) Article 6 (power to hear accused through television links) of the Magistrate’s Court (Miscellaneous Provisions) (Jersey) Law 1949⁷ (listed in Schedule 5 at paragraph (6)) is repealed, and
 - (iii) the Criminal Procedure (Alibis) (Jersey) Rules 1999⁸ (listed in Schedule 5 at paragraph (7)) are repealed.

2 Citation

This Act may be cited as the Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No. 2) Act 2019.

W.J.C. MILLOW

Assistant Greffier of the States

ENDNOTES

Table of Endnote References

<i>1</i>	<i>L.25/2018</i>
<i>2</i>	<i>L.25/2018</i>
<i>3</i>	<i>chapter 23.750</i>
<i>4</i>	<i>chapter 07.245</i>
<i>5</i>	<i>chapter 08.240</i>
<i>6</i>	<i>chapter 08.740</i>
<i>7</i>	<i>chapter 07.595</i>
<i>8</i>	<i>chapter 07.595.25</i>