

This is a translation of the

Loi (1797) sur les rassemblements tumultueux

(Chapter 08.800)

as in force on 1 January 2019 and repealed on 18 October 2024

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Law (1797) on riotous assemblies

Regulation confirmed by Order of His Majesty in Council dated 26 April 1797

Considering that many anonymous and inflammatory writings tending to raise the hatred of the inhabitants of this Island against the constituted authorities, to provoke them into sedition and revolt, and to encourage them to massacre the Magistrates, and otherwise to follow the example of the French people, have been for some time spread among the public: Considering that many of these anonymous writings exhort the populace to gatherings, and indicate the means to act together in order to put into effect the horrible and bloodthirsty threats contained in these writings: Considering that since these writings have appeared, there have been arrangements made and some steps have even been taken, for illicit gatherings and alarming meetings: and considering that the existing laws are not sufficient to prevent, put down and punish effectively outrages which are so dangerous to society:

THE States, with a view to preserving order and public peace, and to protect the honest and peaceable citizens from such a deadly disturbance of law and order, have judged it necessary, in these urgent circumstances, to propose and adopt the following Articles, to have the force of law in this land, and there to be observed, subject to the sanction of His Most Excellent Majesty in Council.

Article 1

It is forbidden to all persons to gather as a mob or to assemble together riotously, in numbers of 12 or more, with a view to, or under the pretext of, considering, declaring or representing, be it orally or in writing, any alleged grievance, under pain of such gathering be declared unlawful. It is equally forbidden for anyone to publish, announce, or declare, be it by publication, poster or public

notice, the assembly or gathering of people, for or on the pretext of considering, declaring, or presenting any alleged grievance, on penalty of a fine for each offender contravening this Article; without however prohibiting, preventing, or restraining, in any way, the convening, holding and functions of public assemblies, authorised by law or custom; also reserving the right of all persons to present, in a suitable manner, to the constituted Authorities, subjects which are within the jurisdiction of the said Authorities.

Article 2

If any Centenier is informed of an unlawful gathering or assembly of people in his parish, he is authorised and instructed to attend there without delay, and to proclaim, in the name of the King, that those who have assembled or gathered there must retire immediately and peacefully to their homes or to their legitimate occupations; and if half an hour after such an order there remain 6 or more people together, the police officer in such case is authorised and charged to seize and present the offenders before the Court, and to this end to seek assistance, not only from all police officers but from all other people, who if need be he judges fit to call to his help; which people shall be obliged to give to the said police officer all the help in their power, under penalty of such a fine, or such imprisonment that the case will be found to merit. And each of those who shall have continued to assemble, in spite of such an order, will be punished by a term of banishment which shall not exceed a term of 5 years.

Article 3

If any Police Officer, or any person acting on his orders, is opposed by force while carrying out the duties prescribed in the preceding Article, whether in going to the place where such a gathering or illegal assembly is taking place, or in carrying out such duties in the very place of that meeting or assembly, or in seizing or after having seized those refusing to obey the law, any person or persons who shall thus have opposed the Police Officer, or any person acting on his orders, or those who have been in attendance or assisted, shall be punished by banishment for a term not exceeding 7 years, or by a more severe punishment, in the case where such opposition is accompanied by any maltreatment or injury to the person of the said Police Officer, or of any person acting on his orders, depending on the nature of the offence.

Article 4

If any damage is done to the house, property or possessions of an individual, by an illegal assembly or gathering of persons, or by anyone among them, such damage, whatever it may be, shall be made good at the expense of the Parish in which such damage has been caused, which costs shall be a charge on the rate of the said Parish, the recourse of the said Parish being against the property of the offenders.

Article 5

The fines imposed under these Regulations shall be apportioned, one third to the King, one third to the General Hospital, and one third to the poor of the Parish in which the offence shall have been committed.

Unofficial Translation