

# ORDER IN COUNCIL

Ratifying a Projet de Loi

**III**  
**1976**

ENTITLED

## **The Explosive Substances (Amendment) Law, 1976**

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(Registered on the Records of the Island of Guernsey on the 6<sup>th</sup> day of July, 1976)

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1976

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 6<sup>th</sup> day of July, 1976, before Sir John Loveridge, Kt., C.B.E., Bailiff;  
present: - Claude Fortescue Nason, Esquire, Stanley Walter Gavey,  
Esquire, O.B.E., D'Arcy George Le Tissier, Esquire, Edward James  
Lainé, Esquire, C.B.E., D.F.C., Walter Francis Robin, Richard Alan  
Kinnersly, Esquires, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C.,  
Richard Brook Sutcliffe, Albert Richard McCartney Straw, Esquires,  
Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C. and  
Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 9<sup>th</sup> day of June, 1976, ratifying a Projet de Loi entitled "The Explosive Substances (Amendment) Law, 1976", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth: -

## At the Court at Buckingham Palace

The 9<sup>th</sup> day of June 1976

**PRESENT,**

### The Queen's Most Excellent Majesty in Council

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2<sup>nd</sup> day of June 1976, in the words following, viz.: -

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22<sup>nd</sup> day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth: -

'1. That, in pursuance of their Resolution of the 26<sup>th</sup> day of November 1975, the States of Deliberation at a meeting held on the 18<sup>th</sup> day of December 1975, approved a Bill or "Projet de Loi" entitled "The Explosive Substances (Amendment) Law, 1976", and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or "Projet de Loi" in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Explosive Substances (Amendment) Law, 1976", and to order that the same shall have force of law in the Bailiwick of Guernsey.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty that it may be advisable for

Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*N. E. Leigh.*

Projet de Loi referred to in the foregoing  
Order in Council.

## **PROJET DE LOI**

ENTITLED

### **The Explosive Substances (Amendment) Law, 1976**

THE STATES, in pursuance of their Resolution of the twenty-sixth day of November, nineteen hundred and seventy-five, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendments to  
Law of 1939.

1. The Explosive Substances Law, 1939 (hereinafter referred to as “the principal Law”) (a) is hereby amended as follows: -
  - (a) sections two and three thereof are repealed and the following sections are respectively substituted therefore –
    - “ 2. A person who in the Bailiwick of Guernsey or (being a citizen of the United Kingdom and Colonies) in the Republic of Ireland unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually

caused or not, be guilty of an offence and liable, on conviction, to imprisonment for life.

3. (1) A person who in the Bailiwick of Guernsey or a defined territory or (being a citizen of the United Kingdom and Colonies) elsewhere unlawfully and maliciously –

(a) does any act with intent to cause, or conspires to cause, by an explosive substance an explosion of a nature likely to endanger life, or cause injury to property, whether in the Bailiwick of Guernsey or the Republic of Ireland, or

(b) makes or has in his possession or under his control an explosive substance with intent by means thereof to endanger life, or cause serious injury to property, whether in the Bailiwick of Guernsey or the Republic of Ireland, or to enable any other person so to do,

shall, whether any explosion does or does not take place, and whether any injury to person or property is actually caused or not, be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding twenty years, and, in addition, the explosive substance shall be forfeited.

(2) In this section the expression “defined territory” means the United Kingdom, the Island of Jersey, the Isle of Man and any colony, other than a colony for whose external relations a country other than the United Kingdom is responsible.”;

(b) in subsection (1) of section six thereof the words “of the Island” are repealed.

Repeal.

2. The Law entitled “Loi par rapport aux substances explosives” registered on the fifteenth day of September, eighteen hundred and eighty-three (*b*), is hereby repealed.

Citation and collective title.

3. (1) This Law may be cited as the Explosive Substances (Amendment) Law, 1976.

(2) This Law and the principal Law may be cited together as the Explosive Substances Laws, 1939 and 1976.

R. H. VIDELO,  
Her Majesty’s Greffier.