



Jersey

**POLICE PROCEDURES AND CRIMINAL
EVIDENCE (APPLICATION TO CUSTOMS AND
EXCISE) (AMENDMENT No. 2) (JERSEY)
ORDER 2011**

Arrangement

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Made

Coming into force

THE MINISTER FOR HOME AFFAIRS, in pursuance of Article 107 of the Police Procedures and Criminal Evidence (Jersey) Law 2003, and after consultation with the Minister for Treasury and Resources, orders as follows –

1 Interpretation

In this Order, “principal Order” means the Police Procedures and Criminal Evidence (Application to Customs and Excise) (Jersey) Order 2004.

2 Article 2 substituted

For Article 2 of the principal Order there shall be substituted the following Article –

“2 Police Procedures and Criminal Evidence (Jersey) Law 2003 applied to Customs and Excise

- (1) Subject to this Order, the provisions of the Law specified in Schedule 1 that relate to investigations of offences conducted by police officers or to persons detained by the police shall apply, as the case requires, to –
 - (a) investigations conducted by the Agent of the Impôts, and any officer of the Impôts, of offences that relate to assigned matters; or
 - (b) persons detained by the Agent of the Impôts or any officer of the Impôts.
- (2) The provisions of the Law, in their application under paragraph (1), shall be subject to the modifications set out in Schedule 2.”

3 Article 6 revoked

Article 6 of the principal Order shall be revoked.

4 Schedule 1 amended

In Schedule 1 to the principal Order –

- (a) before the entry “15 to 18” there shall be inserted the following entries –
“1 to 3
5 to 8”;
- (b) after the entry “29, with the omission of paragraph (10)” there shall be inserted the following entries –
“30, with the omission of paragraphs (2) to (6)
31”;
- (c) after the entry “33” there shall be inserted the following entries –
“44
45, with the omission of paragraphs (3) and (4)”.

5 Schedule 2 amended

In Schedule 2 to the principal Order –

- (a) for paragraph 3A there shall be substituted the following paragraphs –

“3A Article 30 modified

In Article 30(1) of the Law –

- (a) for the words ‘by a Connétable or Centenier or, pursuant to this Part, by an officer of the Force’ there shall be substituted the words ‘, pursuant to this Part, by an officer of the Impôts’;
- (b) for the words ‘a police station or parish hall inquiry’ there shall be substituted the words ‘a customs office’.

3B Article 31 modified

In Article 31 of the Law for the words ‘the custody officer’ there shall be substituted the words ‘an officer of the Impôts’.

3C Article 33 modified

In Article 33 of the Law –

- (a) in paragraph (1) for the words ‘the stations’ there shall be substituted the words ‘the customs offices’;
- (b) in paragraph (3) for the words ‘a station’ in each place where they appear there shall be substituted the words ‘a customs office’.

3D Article 44 modified

In Article 44(1) for the words ‘a police station or parish hall enquiry’ there shall be substituted the words ‘a customs office’;

- (b) in column 2 of the table to paragraph 9(2) –
- (i) for the word “manager” there shall be substituted the words “assistant director”,
 - (ii) for the words “executive officer” there shall be substituted the word “officer”.

6 Citation and commencement

- (1) This Order may be cited as the Police Procedures and Criminal Evidence (Application to Customs and Excise) (Amendment No. 2) (Jersey) Order 2011.
- (2) This Order shall come into force on the 7th day after it is made.

Signed.....

Date.....

Minister for Home Affairs