
STATUTORY INSTRUMENTS

1974 No. 1110

BIOLOGICAL WEAPONS

The Biological Weapons Act 1974 (Guernsey) Order 1974

Made - - - - *28th June 1974*
Coming into Operation *22nd July 1974*

At the Court' at Buckingham Palace, the 28th day of June 1974

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 6(2) of the Biological Weapons Act 1974, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Biological Weapons Act 1974 (Guernsey) Order 1974 and shall come into operation on 22nd July 1974.
2. The Interpretation Act 1889 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The provisions of the Biological Weapons Act 1974 shall extend to the Bailiwick of Guernsey subject to the exceptions, adaptations and modifications specified in the Schedule to this Order.

W. G. Agnew

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SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS

1. Save where the context otherwise requires, any reference to the Biological Weapons Act 1974 or to any other Act of Parliament shall be construed as a reference to that Act as it has effect in the Bailiwick of Guernsey.

2. Section 2 shall be omitted.

3. For section 4 there shall be substituted the following provision:—

“4.—(1) If the Bailiff is satisfied by information on oath that there is reasonable ground for suspecting that an offence under section 1 of this Act has been, or is about to be, committed, he may grant a search warrant authorising a police officer named therein—

- (a) to enter, at any time, within one month from the date of the warrant, any premises or place named therein, if necessary by force, and to search the premises or place and every person found therein;
- (b) to inspect any document found in the premises or place or in the possession of any person found therein, and to take copies of, or seize or detain any such document;
- (c) to inspect, seize and detain any equipment so found;
- (d) to inspect, sample, seize and detain any substance so found.

(2) A warrant issued under subsection (1) above, authorising a police officer to take the steps mentioned in that subsection, may also authorise any person named in the warrant to accompany the police officer and assist him in taking any of those steps.

(3) In this section the following expressions have the meanings respectively assigned to them, that is to say—

“the Bailiff” means:

- (a) in relation to the Islands of Guernsey, Herm and Jethou, the Bailiff of Guernsey;
- (b) in relation to the Island of Alderney, the Chairman of the Court of Alderney; and
- (c) in relation to the Island of Sark, the Seneschal;

“police officer” means:

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limit of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to the Island of Alderney, a member of the said police force and a member of any police force which may be established by the States of Alderney; and
- (c) in relation to the Island of Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.”.

4. Section 6 shall be omitted.

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EXPLANATORY NOTE

This Order extends the Biological Weapons Act 1974 to the Bailiwick of Guernsey with exceptions, adaptations and modifications.