



Jersey

# **POLICING OF BEACHES (JERSEY) REGULATIONS 1959**

## **Official Consolidated Version**

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Jersey

## POLICING OF BEACHES (JERSEY) REGULATIONS 1959

### Contents

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#### Regulation

1	Interpretation .....	5
2	Prohibited acts .....	5
3	Acts for which written permission of Minister is required .....	6
4	Authorized persons .....	7
5	Duty to give name and address .....	7
6	Penalty for offences .....	7
7	Application of fines levied summarily .....	8
8	Savings .....	8
9	Citation .....	8

#### **SCHEDULE** **9**

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PARTS OF SLIPWAYS ON WHICH PARKING IS PERMITTED FOR UP TO 12 HOURS	9
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#### **ENDNOTES** **11**

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Table of Legislation History .....	11
Table of Renumbered Provisions .....	11
Table of Endnote References .....	12





Jersey

## **POLICING OF BEACHES (JERSEY) REGULATIONS 1959<sup>1</sup>**

**THE STATES**, in pursuance of the powers conferred upon them by the Order in Council of the 26 December 1851, Article 92 of the [Road Traffic \(Jersey\) Law 1956](#), and the [Policing of Roads, Parks and Sea Beaches \(Application of Fines\) \(Jersey\) Law 1957](#), have made the following Regulations –

Commencement [[see endnotes](#)]

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### **1 Interpretation**

In these Regulations –

“article or thing” includes any living thing;

“authorized person” means a person appointed by the Minister to be an authorized person for the purposes of these Regulations, or any police officer;

“beach” means a sea beach and includes a slipway;

“Minister” means the Minister for Economic Development, Tourism, Sport and Culture;

“trading” means the selling, or exposing or offering for sale, of any article or thing, or the provision of, or the offering to provide, any service for a consideration.<sup>2</sup>

### **2 Prohibited acts**

(1) No person shall, on any beach –

(a) behave or be clothed in any manner reasonably likely to offend against public decency;

(b) deposit, throw down or leave (otherwise than in a receptacle provided for the purpose) any bottle, tin, container, glass, crockery, paper, wrapper or any refuse of any nature whatsoever;

- (c) deface the surface of any public property or buildings or of any such property or buildings abutting on the beach by writing or other marks;
  - (d) destroy, injure or deface any seat provided for the use of the public, or any grille, fence or other public property;
  - (e) cause any annoyance to any other person;
  - (f) cause any obstruction to free passage;
  - (g) inconvenience any other person with the offer of any article or thing for sale or the provision of any service;
  - (h) between the hours of 10.30am and 6pm during the period of the year commencing on 1st May and ending on 30th September –
    - (i) ride any horse or pony, or
    - (ii) bring any dog, or permit any dog of which the person is in charge, to be on the beach except on a lead;
  - (i) permit any dog of which the person is in charge to rush at, worry or otherwise interfere with the safety, comfort or convenience of any other person on the beach;
  - (j) fail to remove forthwith from the beach any faeces deposited by a dog of which the person is in charge (not being a guide dog in the charge of a blind person), for the purposes of which it shall be a sufficient removal if the faeces are hygienically disposed of in a receptacle provided for the deposit of litter.<sup>3</sup>
- (2) Paragraph (1)(h) shall not apply –
- (a) to a dog that is being worked under the control of a police officer or an officer of the Impôts in the course of the officer's duty; or
  - (b) to a horse or pony that is being ridden in a permitted equine event.<sup>4</sup>
- (3) An event is a permitted equine event for the purpose of paragraph (2)(b) if the person holding the event has the written permission of the Minister to arrange for horses and ponies to be ridden in the event despite paragraph (1)(h).<sup>5</sup>
- (4) The Minister –
- (a) shall not grant permission under paragraph (3) except with the consent of the Connétable of the parish (or of each parish, if more than one) in which the event is to be held;
  - (b) may grant that permission subject to such conditions as the Minister may think fit to impose; and
  - (c) may at any time withdraw that permission.<sup>6</sup>

### **3 Acts for which written permission of Minister is required**

- (1) No person shall, except with the written permission, previously obtained, of the Minister –
  - (a) drive or cause to be driven any vehicle on any beach;

- (b) park or cause to be parked any vehicle on any beach (not including a slipway);
- (c) park, or cause to be parked or to remain at rest, any vehicle or boat –
  - (i) on any slipway, or part of a slipway, not listed in the Schedule, or
  - (ii) on any part so listed, for more than 12 hours in any period of 24 hours;
- (d) engage in trading on any beach;
- (e) place or exhibit any display or representation on any beach;
- (f) hold any meeting on any beach at which any musical instrument or any apparatus for the transmission, reception, reproduction or amplification of sound, speech or images by electrical or mechanical means is used:

Provided that sub-paragraph (a) shall not apply to any vehicle –

- (i) engaged in the transport of vraic, stone, sand, shingle, gravel or boats, or
  - (ii) being used for the public service.<sup>7</sup>
- (2) Any permission under this Regulation may be granted subject to such conditions as the Minister may think fit to impose, and may at any time be withdrawn by the Minister.
- (3) An authorized person has the same power to remove any boat remaining at rest on a slipway in contravention of paragraph (1)(c) as the person has to remove a vehicle from the slipway under the [Road Traffic \(Removal of Vehicles\) \(Jersey\) Order 1963](#).<sup>8</sup>

#### **4 Authorized persons<sup>9</sup>**

Every authorized person, other than a police officer, shall be issued with an identity card by the Minister wherein shall be specified the name of the authorized person to whom it is issued and the fact that the person is an authorized person for the purposes of these Regulations, and in the exercise of the person's functions under these Regulations the authorized person shall carry the authorized person's identity card and, should the circumstances so require, exhibit it as evidence of his or her authority.

#### **5 Duty to give name and address<sup>10</sup>**

Any person who has contravened any of the provisions of these Regulations shall, on demand by an authorized person, give the person's name and address.

#### **6 Penalty for offences**

If any person contravenes any of the provisions of these Regulations or contravenes or fails to comply with any condition subject to which any permission under these Regulations is granted, the person shall be liable to a fine not exceeding level 2 on the standard scale.<sup>11</sup>

**7 Application of fines levied summarily<sup>12</sup>**

All fines for offences against these Regulations which are levied summarily by a Centenier in exercise of powers conferred upon the Centenier by Article 1 of the [Policing of Roads, Parks and Sea Beaches \(Application of Fines\) \(Jersey\) Law 1957](#), shall be awarded for the benefit of the parish in which the offence was committed and shall be applied towards the cost of maintenance of the by-roads of that parish.

**8 Savings**

- (1) Nothing in these Regulations shall derogate from any right or interest in any part of a beach enjoyed by any person in right of the Crown.
- (2) Nothing in these Regulations shall be deemed to repeal or affect the provisions of any other enactment, but so that a person shall not be punished twice for the same offence.

**9 Citation**

These Regulations may be cited as the Policing of Beaches (Jersey) Regulations 1959.



**SCHEDULE<sup>13</sup>**

(Regulation 3(1)(c))

**PARTS OF SLIPWAYS ON WHICH PARKING IS PERMITTED FOR UP TO  
12 HOURS****GROUVILLE**

La Rocque – Coast Road (East side)  
La Rocque – Webber's Lane (West side)  
Le Hurel (North side)  
Seymour (North side)

**ST. BRELADE**

Belcroute (West side)  
La Haule (East side)  
La Pulente (South side)  
Le Grouet (North side)  
Petit Port (North side)

**ST. CLEMENT**

La Grande Charrière (West side)  
La Mare (West side)  
La Sordonnière (North side)  
Le Bourg (West side)  
Le Hocq (West side)  
Pontac (West side)

**ST. MARTIN**

Anne Port Bay (North side)  
Gorey Village (North side)  
St. Catherine's – immediately South of Gibraltar (North side)

**ST. OUEN**

La Saline (South side)  
Les Laveurs (South side)

ST. PETER

L'Ouzière (South side)

ST. SAVIOUR

La Montée du Dicq (West side)

TRINITY

Bouley Bay (North side)

Rozel Bay (South side)

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Policing of Beaches (Jersey) Regulations 1959	R&O.4045	12 April 1959
Policing of Beaches (Amendment) (Jersey) Regulations 1970	R&O.5380	11 July 1970
Policing of Beaches (Amendment No. 2) (Jersey) Regulations 1974	R&O.5924	1 April 1974
Policing of Beaches (Amendment No. 3) (Jersey) Regulations 1974	R&O.6024	14 August 1974
Policing of Beaches (Amendment No. 4) (Jersey) Regulations 1974	R&O.6091	1 January 1975
Policing of Beaches (Amendment No. 5) (Jersey) Regulations 1976	R&O.6367	29 December 1976
Policing of Beaches (Amendment No. 6) (Jersey) Regulations 1984	R&O.7292	27 June 1984
Policing of Beaches (Amendment No. 7) (Jersey) Regulations 1989	R&O.7929	1 July 1989
Policing of Beaches (Amendment No. 8) (Jersey) Regulations 1992	R&O.8389	13 May 1992
Policing of Beaches (Amendment No. 9) (Jersey) Regulations 1995	R&O.8820	1 May 1995
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	<a href="#">R&amp;O.44/2005</a>	9 December 2005
Policing of Beaches (Amendment No. 10) (Jersey) Regulations 2012	<a href="#">R&amp;O.18/2012</a>	1 March 2012
Connétables (Miscellaneous Provisions – Consequential Amendments) (Jersey) Regulations 2014	<a href="#">R&amp;O.81/2014</a>	1 August 2014 ( <a href="#">R&amp;O.80/2014</a> )
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	<a href="#">R&amp;O.158/2015</a>	1 January 2016
Policing of Beaches (Amendment No. 11) (Jersey) Regulations 2016	<a href="#">R&amp;O.69/2016</a>	5 July 2016

### Table of Renumbered Provisions

Original	Current
2(1)(j)	2(1)(i)
(k)	(j)
3A	4

Original	Current
3B	5
4	6
5	repealed by R&O.8820
6	7
7	8
8(1)	9
(2)	spent, omitted from this revised edition

### Table of Endnote References

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- <sup>1</sup> *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*
- <sup>2</sup> *Regulation 1 amended by R&O.7929, R&O.158/2015*
- <sup>3</sup> *Regulation 2(1) amended by R&O.7929, R&O.8389*
- <sup>4</sup> *Regulation 2(2) substituted by R&O.18/2012*
- <sup>5</sup> *Regulation 2(3) added by R&O.18/2012*
- <sup>6</sup> *Regulation 2(4) added by R&O.18/2012*
- <sup>7</sup> *Regulation 3(1) substituted by R&O.5380, amended by R&O.6024, R&O.18/2012, R&O.69/2016*
- <sup>8</sup> *Regulation 3(3) added by R&O.18/2012*
- <sup>9</sup> *Regulation 4 inserted by R&O.7929*
- <sup>10</sup> *Regulation 5 inserted by R&O.7929*
- <sup>11</sup> *Regulation 6 amended by R&O.6367, R&O.7292, R&O.8389, R&O.8820*
- <sup>12</sup> *Regulation 7 substituted by R&O.8820, amended by R&O.81/2014*
- <sup>13</sup> *Schedule substituted by R&O.6024, amended by R&O.6091, R&O.18/2012*