



Jersey

CIVIL DEFENCE (JERSEY) LAW 1952

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 21 September 2023 to Current



Jersey

CIVIL DEFENCE (JERSEY) LAW 1952

Contents

Article

1	Interpretation	3
2	Civil defence functions of the Minister	4
3	Civil defence functions of Connétables of parishes	4
4	Grant towards expenses of parochial authorities	5
5	Powers as to land	5
6	Civil defence obligations of police officers, firemen, etc. and of members of civil defence forces and services	6
7	6
8	Regulations	6
9	Citation	6

ENDNOTES 7

Table of Legislation History.....	7
Table of Endnote References.....	7



Jersey

CIVIL DEFENCE (JERSEY) LAW 1952¹

A **LAW** to make provision for civil defence

Commencement [[see endnotes](#)]

1 Interpretation²

In this Law, unless the context otherwise requires –

“civil defence” does not include the provision or maintenance of a shelter which is used or intended to be used wholly or mainly by naval, military or air forces but, save as aforesaid, includes any measures not amounting to actual combat for affording defence against any form of hostile attack by a foreign power or for depriving any form of hostile attack by a foreign power of the whole or part of its effect, whether the measures are taken before, at or after the time of the attack;

“civil defence forces” and “civil defence services” mean respectively forces and services formed wholly or mainly to meet the needs of civil defence;

“civil defence shelter” means any shelter other than a shelter which is used or intended to be used wholly or mainly by naval, military or air forces;

“fire services” means the States of Jersey Fire and Rescue Service and the Airport Rescue and Firefighting Service;

“Minister” means the Minister for Justice and Home Affairs;

“police force” means the States of Jersey Police Force;

“Regulations” means Regulations under Article 8;

“shelter” means any premises, structure or excavation used or intended to be used to provide shelter from any form of hostile attack by a foreign power;

“statutory provision” means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any enactment, whether of a general or a special nature.

2 Civil defence functions of the Minister

- (1) It shall be part of the functions of the Minister to take the steps that appear to the Minister from time to time to be necessary or expedient for civil defence purposes and, in particular, but without prejudice to the generality of the foregoing, the steps that appear to the Minister from time to time to be necessary or expedient in connection with any of the following matters, that is to say –
 - (a) the organization, formation, maintenance, equipment and training of civil defence forces and services;
 - (b) the organization, equipment and training for civil defence purposes of the police force, fire services and employees of public and parochial authorities employed primarily for purposes other than civil defence purposes;
 - (c) the instruction of members of the public in civil defence and their equipment for the purposes of civil defence;
 - (d) the provision, storage and maintenance of commodities and things which may be required for civil defence; and
 - (e) the provision, construction, maintenance or alteration of premises, structures or excavations, and the doing of any other work, which may be required for civil defence.
- (2) The Minister may make arrangements whereby any of his or her functions under this Article are, to such extent as may be provided by the arrangements, exercised on his or her behalf by another Minister.

3 Civil defence functions of Connétables of parishes

- (1) The Connétable of every parish shall, for civil defence purposes, and, in particular, but without prejudice to the generality of the foregoing, in connection with the matters specified in Article 2(1)(a) to (e), have and perform such functions as may be prescribed by Regulations.
- (2) Regulations made for the purposes of this Article –
 - (a) may empower a Connétable on whom functions are conferred under this Article to appoint committees (including joint committees) constituted in accordance with the Regulations, and to authorize those or other committees to exercise all or any of those functions on the Connétable's behalf as the Connétable's agents;
 - (b) may empower the Minister, where he or she is satisfied that a Connétable has failed or refused properly to discharge any functions conferred on him or her under this Article, either personally to discharge those functions in the name and at the expense of the parish or to authorize or require some other authority or person to exercise those functions in the name of the Connétable and at the expense of the parish;
 - (c) may, on such conditions, if any, as may be prescribed by the Regulations, authorize or require things to be done in contravention of, or without compliance with, any statutory provision regulating or restricting the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land; and

- (d) may authorize the employment of personnel, and the provision, construction or maintenance of premises and equipment, in excess of any limits imposed by any statutory provision.

4 Grant towards expenses of parochial authorities

Regulations may authorize the payment by the Minister of such grants towards expenses incurred by Connétables in or in connection with the discharge of functions conferred on them under Article 3, as may be prescribed by the Regulations.

5 Powers as to land

- (1) Where it appears to the States that any land should be acquired for civil defence purposes, it shall be lawful for the States to acquire such land by compulsory purchase on behalf of the public in accordance with the provisions of the [Compulsory Purchase of Land \(Procedure\) \(Jersey\) Law 1961](#).

- (2) Where, in the discharge of any functions exercisable under this Law, the Minister does any work for the purpose of providing or maintaining a civil defence shelter, the Minister may, if it appears expedient so to do, do that work and provide or maintain the shelter wholly or partly in, under or over any highway:

Provided that –

- (a) the powers conferred by this Article shall be exercisable subject to such restrictions as may be prescribed by Regulations; and
 - (b) in no event shall the said powers be exercised unless the Minister is satisfied that the shelter will not so obstruct the highway as substantially to diminish the utility of the highway to the public.
- (3) Any person duly authorized in that behalf by the Minister or a Connétable by whom functions are exercisable under the preceding provisions of this Law shall have a right to enter any land at all reasonable hours for the purpose of inspecting that or any other land with a view to ascertaining whether or not anything ought to be constructed or done thereon or any use made thereof for civil defence purposes:

Provided that a person proposing to exercise a power of entry conferred under this Article –

- (a) shall, if so required, produce evidence of the person's authority;
- (b) shall not demand admission as of right to any land which is occupied unless 24 hours' notice of the intended entry has been given to the occupier or reasonable steps have been taken to give such notice.

- (4) If –
- (a) any person who, in compliance with the provisions of this Article, is admitted into a factory or workplace, discloses, otherwise than in the performance of his or her duty, to any person any information obtained by him or her in the factory or workplace with regard to any manufacturing process or trade secret; or
 - (b) any person to whom by reason of his or her official position, any information obtained as aforesaid is disclosed, discloses, otherwise than in the performance of his or her duty, that information to any person,
- the person shall be liable to imprisonment for a term of 3 months and to a fine.³
- (5) The powers conferred by this Article shall be in addition to and not in derogation of any powers which would apart from this Article be available in relation to any of the functions exercisable under the preceding provisions of this Law.

6 Civil defence obligations of police officers, firemen, etc. and of members of civil defence forces and services

It is declared that members of the police force and fire services and, if and so far as provision in that behalf is made by Regulations, employees of public and parochial authorities employed primarily for purposes other than civil defence purposes, are, as such, under a duty to comply with requirements as to training for and taking part in any form of civil defence for the time being recognized by the Minister as appropriate to be undertaken by that force and those services and their members respectively or, as the case may be, as appropriate to be undertaken by employees of the class in question having regard to the nature of the work for which those employees are primarily employed.

7 ⁴

8 Regulations

- (1) The States may make Regulations for any purpose for which Regulations may be made under this Law and generally for the purpose of carrying this Law into effect and any such Regulations may, in particular, but without prejudice to the generality of the foregoing –
- (a) make different provision for different cases or classes of case;
 - (b) contain such consequential and incidental provisions as may appear to the States to be necessary or expedient; and
 - (c) make different provision in relation to different authorities.
- (2) Regulations made under this Article may be amended by subsequent Regulations and shall remain in force until repealed.

9 Citation

This Law may be cited as the Civil Defence (Jersey) Law 1952.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Civil Defence (Jersey) Law 1952	L.19/1952	21 June 1952
States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005	R&O.47/2005	9 December 2005
Public Finances (Consequential Amendments) (Jersey) Regulations 2005	R&O.126/2005	9 December 2005
Fire and Rescue Service (Jersey) Law 2011	L.26/2011	1 March 2012 (R&O.27/2012)
States of Jersey Police Force Law 2012	L.37/2012	1 August 2014 (R&O.87/2014)
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)
States of Jersey (Transfer of Justice Functions – Chief Minister to Justice and Home Affairs) Order 2023	R&O.76/2023	21 September 2023

Table of Endnote References

- ¹ *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 7) (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*
- ² *Article 1* *amended by L.26/2011, L.37/2012, R&O.76/2023*
- ³ *Article 5(4)* *amended by L.1/2016*
- ⁴ *Article 7* *repealed by R&O.126/2005*