

JERSEY / JUDGMENT

AG v Camerons and G H [2000]

JRC 235 (24 November 2000)

[2000] JRC 235

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JUDGMENT

THE BAILIFF: 1. Dealing first with the infraction by G. H. Limited of the Employers' Liability (Compulsory Insurance) (Jersey) Law, 1973, it was put to us by counsel that the failure to obtain or to renew insurance was an oversight. We entirely accept this but it was an oversight which continued for seven months and might well have continued even longer had the accident which took place not occurred. 2. We think that the Crown Advocate has taken the correct approach to the conclusions and G. H. Limited is accordingly fined £1,500 and ordered to pay £350 in costs. That fine and costs may be paid, as requested, at the rate of £200 per month. 3. We have also given careful consideration to all the matters put before us by Mr Gollop on behalf of Camerons Limited. The defendant company is clearly a company which takes issues of safety very seriously and has an excellent safety record that has continued for many years. On the other side of the coin, the Court must punish breaches of the Health and Safety at Work (Jersey) Law, 1989 because it is clearly in the interests of other employees and indeed employees of the defendant company itself that the regulations should be complied with. 4. The Court has considered very carefully all the submissions made by counsel but finds the case, for all practical purposes, indistinguishable from A. G. -v- Stansell QVC Ltd . (15 th October, 1999) Jersey Unreported. We think the conclusions are accordingly correct and the company is fined £10,000 and ordered to pay £2,000 by way of costs. The company may have two weeks in which to pay. Authorities Wilkinson's Road Traffic Law: 5.227. Health and Safety at Work (Jersey) Law, 1989: Article 5(1); 21(1)(a). Employers' Liability (Compulsory Insurance) (Jersey) Law, 1973: Article 2(1). A. G. -v- Jersey New Waterworks Co Ltd (28 th November, 1997) Jersey Unreported. A. G. -v- Mann (20 th October, 1997) Jersey Unreported. A. G. -v- Stansell QVC Ltd (15 th October, 1999) Jersey Unreported. A. G. -v- Gaughran (12 th December, 1997) Jersey Unreported. Page Last Updated: 19 Aug 2015 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII

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Prepared on 30 October 2026 · Esheria