

# STATES OF JERSEY



## **DRAFT LIMITED PARTNERSHIPS (JERSEY) AMENDMENT LAW 202- (P.73/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT**

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**Presented to the States on 17th October 2024  
by the Minister for External Relations**

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**STATES GREFFE**

**CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)**

**PART 1: SCREENING**

Name and title of Duty Bearer:	Deputy Ian Gorst, Minister for External Relations
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Minister
Assessment completed by (if not completed by duty bearer):	Associate Director, Financial Services Unit
Date:	30 September 2024

<p>1) Name and brief description of the proposed decision</p> <p>The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the ‘<b>decision</b>’</p> <ul style="list-style-type: none"> <li>• What is the problem or issue the decision is trying to address?</li> <li>• Do children experience this problem differently from adults?</li> </ul>
<p>Proposition of Draft Limited Partnerships (Jersey) Amendment Law 202-</p> <p>The draft will remove the word “insolvency” from Articles 13 (3) and 24(1)(b) of the Limited Partnership (Jersey) Law 1994, following amendments that incorporated the word erroneously in 2022. It can be difficult to establish, from a factual perspective, at what point the general partners of a limited partnership becomes cash flow insolvent (the legal test) causing commercial and legal difficulties particularly as to the uncertainty in the timing of an event which ultimately triggers the winding up of a limited partnership. Furthermore, many alternative investment fund limited partnerships have special purpose vehicles (SPV) general partners who often rely on capital injections as necessary from their parent company. A general partner could, therefore, under the current law, become (temporarily) insolvent whilst waiting to receive a further capital injection.</p> <p>Children do not experience this problem any differently to adults. The term “insolvency” in this context refers to insolvent corporate legal entities as opposed to individuals, who are not affected by the proposed draft law amendments.</p>
<p>2) Which groups of children and young people are likely to be affected?</p> <p>Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children</p>
<p>None</p>
<p>3) What is the likely impact of the proposed decision on children and on their rights?</p> <ul style="list-style-type: none"> <li>• Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC</li> <li>• Will different groups of children be affected differently by this decision?</li> </ul>
<p>None</p>

4) Is a full Children's Rights Impact Assessment required?  
If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion

No – for the reasons set out in 1) above.