

# STATES OF JERSEY

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## **DRAFT CENTENIERS (TERMS OF OFFICE) (AMENDMENT) (JERSEY) LAW 200**

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**Lodged au Greffe on 18th March 2008  
by the Comité des Connétables**

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**STATES GREFFE**





Jersey

## **DRAFT CENTENIERS (TERMS OF OFFICE) (AMENDMENT) (JERSEY) LAW 200**

### **European Convention on Human Rights**

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000 the Chairman of the Comité des Connétables has made the following statement –

In the view of the Chairman of the Comité des Connétables the provisions of the Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law 200- are compatible with the Convention Rights.

(Signed) **Connétable K.P. Vibert of St. Ouen**

## **REPORT**

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The Centeniers (Terms of Office) (Jersey) Law 2007 provided for appointed days for the election of Centeniers at 9 monthly intervals throughout the Island.

Under the 2007 Law, a serving Centenier's term of office ends on an appointed day. As from the appointed day, the person concerned, whether or not he or she has been re-elected, can no longer function as a Centenier. There is no provision enabling a serving Centenier to continue in office until the date fixed for that Centenier, or his or her successor, to be sworn in by the Royal Court. This means that there is a period – between the appointed day and the date fixed for the Centenier's swearing-in – during which the Parish is deprived of the benefit of one of its serving Centeniers. This gap in the period of service can give rise to difficulty – especially in those Parishes currently struggling to recruit Centeniers.

This amending Law remedies this by providing for a Centenier, on the expiry of his or her 3 year term of office to remain in office until the date that the Royal Court has fixed for the newly-elected Centenier to take his or her oath of office. This does not, of course, affect the synchronization of election dates for which the 2007 Law provides.

### **Financial/manpower implications**

There are no financial or manpower implications for the States arising from the adoption of this draft Law.

### **European Convention on Human Rights**

Article 16 of the Human Rights (Jersey) Law 2000 requires the Minister in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). On 14th March 2008 the Chairman of the Comité des Connétables made the following statement before Second Reading of this Projet in the States Assembly –

In the view of the Chairman of the Comité des Connétables the provisions of the Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law 200- are compatible with the Convention Rights.

## **Explanatory Note**

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This Law amends the Centeniers (Terms of Office) (Jersey) Law 2007 so as to allow a Centenier, on the expiry of his or her 3 year term of office, to remain in office until the date that the Royal Court has fixed for the newly-elected Centenier to take his or her oath of office.





Jersey

## **DRAFT CENTENIERS (TERMS OF OFFICE) (AMENDMENT) (JERSEY) LAW 200**

**A LAW** to amend the Centeniers (Terms of Office) (Jersey) Law 2007

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*Adopted by the States* [date to be inserted]

*Sanctioned by Order of Her Majesty in Council* [date to be inserted]

*Registered by the Royal Court* [date to be inserted]

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

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### **1 Article 3A inserted in Centeniers (Terms of Office) (Jersey) Law 2007**

After Article 3 of the Centeniers (Terms of Office) (Jersey) Law 2007<sup>[1]</sup> there shall be inserted the following Article –

#### **“3A Continuation in office pending election**

- (1) Notwithstanding Article 3(2) and any other provision of this Law that provides for the term of office of a Centenier to expire on an appointed day, a Centenier shall remain in office until the return date for the election held on that appointed day.
- (2) The reference in paragraph (1) to the return date for an election is a reference to the date fixed by the Royal Court, pursuant to Article 17(2)(c) of the Public Elections (Jersey) Law 2002, for the persons elected to appear in the Court to take their oaths.”.

### **2 Citation and commencement**

This Law may be cited as the Centeniers (Terms of Office) (Jersey) Law 200- and shall come into force on the day after the day that it is registered.

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[1]

*L.35/2007*