

STATES OF JERSEY



Jersey

DRAFT COVID-19 (AMENDMENTS – FURTHER EXTENSIONS) (JERSEY) REGULATIONS 202- (P.84/2021): AMENDMENT

**Lodged au Greffe on 16th September 2021
by the Minister for Health and Social Services
Earliest date for debate: 5th October 2021**

STATES GREFFE

DRAFT COVID-19 (AMENDMENTS – FURTHER EXTENSIONS) (JERSEY)
REGULATIONS 202- (P.84/2021): AMENDMENT

PAGE 19, REGULATION 3 –

After Regulation 3 insert –

“4 Royal Court (Jersey) Law 1948 amended

In Article 5(8) of the Royal Court (Jersey) Law 1948 for “on 31st October 2021” there is substituted “at the end of 30th April 2022”.”,

and renumber the subsequent Regulations accordingly.

MINISTER FOR HEALTH AND SOCIAL SERVICES

REPORT

The effect of the Regulations

The appointment of Jurats is governed by the [Royal Court \(Jersey\) Law 1948](#) (the “Royal Court Law”) which usually requires the Electoral College to meet in order to elect a new Jurat. The Law establishes a strict timeline around such elections, starting with notice being given to members within 28 days.

Meetings of the Electoral College usually take place in the Royal Court building, and its membership includes the Bailiff (as president), the Jurats, the Connétables, elected members of the States, Advocates and Solicitors. The Lieutenant-Governor, the Dean, the Attorney General, the Solicitor General and the Greffier of the States also attend.

The quorum of the Electoral College is 40. However, all members of the College are entitled to attend and address the meeting. There are over 500 members of the College, but the average meeting attendance is estimated at 150 members. Meetings are also held in public

A Jurat retired from office in June 2021, and there were concerns about convening such a gathering during the ongoing pandemic. It was therefore necessary to make temporary provision to delay the convening of the Electoral College and/or allow the Electoral College to meet virtually.

On 30th June 2021, the Assembly approved the Covid-19 (Election of Jurats) (Jersey) Regulations 2021 ([P.60/2021](#)), which made the necessary amendments to the Royal Court Law to address this situation.

Those Regulations provide the flexibility to delay a meeting, rather than convene a virtual meeting, because a physical meeting would be preferable, given the complexities and potential issues that would arise from such a large meeting being held on-line.

In the event that it is not possible to hold a physical meeting within a reasonable time, the Regulations allow a virtual meeting to be held –

- Using video conferencing services.
- Maintaining public access to the meeting by means of a live-stream arrangement.
- Enabling the Bailiff to reschedule, delay or adjourn the meeting in light of any technical issues arising from use of the video conferencing service, or if it appears that more members wish to attend than can be accommodated by the technology in use.

The Bailiff may delay a meeting or convene a virtual meeting only if satisfied that it is necessary or expedient to do so in view of prevailing Covid-19 legislation or guidance or because there is an outbreak of Covid-19 or a risk of such an outbreak.

The need for extension

Another Jurat is scheduled to retire before the end of 2021. The current hope is that an Electoral College can be convened in the normal manner to elect two Jurats before the end of the year.

However, if these Regulations are not extended then the scheduling requirements in the Royal Court Law will apply as normal. If distancing or gathering guidelines or legal restrictions return later in 2021, without these Regulations the Court would be forced to choose which law to breach, or which guidelines to ignore.

Financial and manpower implications

None would arise from the adoption of this amendment.