

STATES OF JERSEY

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DRAFT EMPLOYMENT TRIBUNAL (AMENDMENT No. 2)(JERSEY) REGULATIONS 200

**Lodged au Greffe on 4th November 2008
by the Minister for Social Security**

STATES GREFFE



Jersey

DRAFT EMPLOYMENT TRIBUNAL (AMENDMENT No. 2) (JERSEY) REGULATIONS 200

REPORT

The Minister for Social Security's intention in proposing the Draft Employment Tribunal (Amendment No. 2) (Jersey) Regulations 200- is to enable the making of Ministerial Orders which would determine the daily rates of remuneration of the members of the Jersey Employment Tribunal. This will replace the existing arrangement under which the remuneration is fixed by Regulations, which was considered to be unnecessary and time-consuming.

On 16th January 2007, the States approved that the Employment Law should be amended to allow the Minister for Social Security to make Orders setting the daily sitting rates for the Chairman, Deputy Chair and Side Members of the Employment Tribunal. This minor amendment to Regulation 6 of the Employment Tribunal (Jersey) Regulations 2005 is required to fully enable the making of such Orders.

Subject to States approval of the proposed amendment, the Minister intends to make an Order as soon as the amended Regulations are in force.

The current rates of remuneration for the Tribunal members have applied since 1st November 2006: £736 for the Chairman, £552 for the Deputy Chairman and £97 for Side Members.

The proposed Order would increase the Chairman's daily sitting rate to £774. This represents an increase of 5.163% in a period of more than 2 years. The daily rate reflects that of the Commissioners of the Royal Court which was increased to £774, effective from 1st April 2008.

The 5.163% increase will also be applied to the Deputy Chairman's rate, resulting in a daily sitting rate of £580.50, and for the Side Members a new daily rate of £102.01. The revised rates will be effective from the date on which the Ministerial Order is made.

Financial and manpower statement

It is estimated that the increase will result in an additional cost of approximately £2,500 during 2009 based on a 5.163% increase to the existing budget for Tribunal members' fees.

Explanatory Note

The object of these Regulations is to allow the Minister for Social Security to make Orders under the Employment (Jersey) Law 2003 setting the remuneration of members of the Jersey Employment Tribunal. This arrangement will replace the existing arrangement under which the remuneration is fixed by Regulations.



Jersey

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Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Articles 82 and 104 of the Employment (Jersey) Law 2003^[1], have made the following Regulations –

1 Regulation 6 substituted

For Regulation 6 of the Employment Tribunal (Jersey) Regulations 2005^[2] there shall be substituted the following Regulation –

“6 Remuneration and expenses of Tribunal members

- (1) The members of the Tribunal shall receive such remuneration as the Minister may determine by Order.
- (2) The members of the Tribunal shall also be reimbursed such reasonable expenses as the Minister may determine.”.

2 Citation and commencement

- (1) These Regulations may be cited as the Employment Tribunal (Amendment No. 2) (Jersey) Regulations 200-.
- (2) These Regulations shall come into force on the seventh day after they are made.

[1]

chapter 05.255

[2]

chapter 05.255.70