

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS BY  
THE DEPUTY OF ST. MARTIN**

**ANSWER TO BE TABLED ON TUESDAY 15th JULY 2008**

**Question**

Will the Minister inform members which, if any, Convention rights are potentially affected by the draft Customs and Excise (Amendment No 6 (Jersey) Law 200- and the reasons for her view that the provisions of that Law are compatible with Convention rights?

**Answer**

I have considered carefully all the advice I have received and accordingly have felt able to make the Statement of Compatibility, pursuant to Article 16 of the Human Rights (Jersey) Law 2000, that “the draft Customs & Excise (Amendment No. 6) (Jersey) Law 200- is compatible with the Convention rights.”

Members will appreciate that the reason for making a Ministerial statement of compatibility under the Human Rights Law is not that the Minister’s view is determinative of what is a legal question, nor even that it is of any evidential value to a court in that respect. The provision requiring the statement to be made is there to ensure that the Minister and her officials focus on the need to have regard to the Convention rights in their promotion of legislation for consideration by the States and as a result to ensure that all necessary legal advice is taken.

It is against this background that the Statement of Compatibility has been made.