

# STATES OF JERSEY



## DRAFT AIR NAVIGATION (AMENDMENT) (JERSEY) LAW 201-

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Lodged au Greffe on 17th June 2016  
by the Minister for External Relations

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STATES GREFFE





Jersey

## **DRAFT AIR NAVIGATION (AMENDMENT) (JERSEY) LAW 201-**

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

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Minister for External Relations has made the following statement –

In the view of the Minister for External Relations, the provisions of the Draft Air Navigation (Amendment) (Jersey) Law 201- are compatible with the Convention Rights.

Signed: **Senator Sir P.M. Bailhache**

*Minister for External Relations*

Dated: 15th June 2016

## REPORT

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This draft Law makes a small amendment to the Air Navigation (Jersey) Law 2014.

Under Article 173A, the courts of Jersey have jurisdiction over an offence committed on board aircraft which is registered in Jersey, even if the offence was committed whilst the aircraft was outside Jersey.

Following discussions with the UK Ministry of Justice, this short amending Law is being brought forward to amend Article 173A to restrict such extra-territorial jurisdiction to when the Jersey registered aircraft is in flight, i.e. if the offence is committed on board an aircraft which is landed other than in Jersey, then the offence will be within the jurisdiction of the courts of wherever the aircraft was landed. This is consistent with the position in the UK, Guernsey and the Isle of Man, and ensures that Jersey complies with (*inter alia*) the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft.

### **Financial and manpower implications**

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

### **Human Rights**

No human rights notes are annexed because the Law Officers' Department has indicated that the draft Law does not give rise to any human rights issues.

## **Explanatory Note**

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This Law amends Article 173A of the Air Navigation (Jersey) Law 2014 to provide for a court in Jersey to have jurisdiction to deal with an offence committed on a Jersey registered aircraft when the offence is committed whilst the aircraft is in flight outside Jersey.





Jersey

## **DRAFT AIR NAVIGATION (AMENDMENT) (JERSEY) LAW 201-**

### **Arrangement**

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Jersey

## **DRAFT AIR NAVIGATION (AMENDMENT) (JERSEY) LAW 201-**

**A LAW** to amend the Air Navigation (Jersey) Law 2014.

*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 –

### **1 Amendment of Article 173A of the Air Navigation (Jersey) Law 2014**

In Article 173A(1)(a) of the Air Navigation (Jersey) Law 2014<sup>1</sup> after the words “aircraft is” there shall be inserted the words “in flight”.

### **2 Citation and commencement**

This Law may be cited as the Air Navigation (Amendment) (Jersey) Law 201- and shall come into force 7 days after it is registered.

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<sup>1</sup> *chapter 03.250*