

STATES OF JERSEY



JERSEY LAW COMMISSION: APPOINTMENT OF COMMISSIONERS

**Lodged au Greffe on 7th June 2005
by the Legislation Committee**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to refer to their Act, dated 30th July 1996, in which they approved the establishment of a Jersey Law Commission, and to appoint Mr. Peter Hargreaves and Advocate John Kelleher as Commissioners for a period of 5 years with immediate effect; and
- (b) to refer to their Act, dated 8th February 2000, in which they approved the appointment of Mr. Clive Chaplin and Advocate Alan Richard Binnington as Commissioners of the Jersey Law Commission, and to re-appoint those Commissioners for a period of 5 years with immediate effect.

LEGISLATION COMMITTEE

REPORT

The States, by Act dated 30th July 1996, adopted a proposition of the Legislation Committee and approved the establishment of a Jersey Law Commission.

Mr. David Lyons, an English Solicitor, was appointed as the Chairman of the Jersey Law Commission by the States on 19th November 2003. Advocate Kerry Lawrence was appointed as a member the same date.

Advocate Alan Binnington and Mr. Clive Chaplin were appointed as Commissioners for 5-year terms by the States on 8th February 2000, and therefore their periods of office expired on 8th February 2005.

Mr. Peter Hargreaves and Advocate John Kelleher have been proposed as new members of the Commission.

The Committee recommends that Mr. Hargreaves and Advocate Kelleher be appointed as Commissioners for a period of 5 years with immediate effect, and that Advocate Alan Binnington and Mr. Clive Chaplin be reappointed to the Commission for a period of 5 years with immediate effect.

Mr. Peter Hargreaves

Mr. Hargreaves was born in Liverpool in 1953. He was educated at Birkenhead School and St. Peter's College, Oxford and then qualified as a chartered accountant.

Mr. Hargreaves was employed by Arthur Young, Jersey from 1979, rising to become a partner by 1988 remaining a partner with Ernst & Young Jersey until 2000. He then went on to become a Director of Royal Bank of Canada Trustees Limited and associated companies until April 2004 and a Director of Bedell Cristin Trustees Limited and associated companies from June 2004 to date.

Advocate John Kelleher

Advocate Kelleher was born in Jersey in 1964, and educated at De La Salle College before attending the University of Warwick, where he graduated with a BA (Hons) in History in 1984. He attended the City of London University, receiving an MA in Law in 1990, before returning to the University of Warwick to achieve a Ph.D in 1991. In 1993 he was awarded the Certificat d'Études Juridiques Français et Normandes from the Université de Caen.

Advocate Kelleher became a Barrister in 1991, and Advocate of the Royal Court in 1994, a Partner at Olsens in 1995, and is currently a Partner with Carey Olsen Litigation Group, specialising in litigation, property work, and Jersey Customary Law.

Advocate Alan Richard Binnington

Advocate Binnington is a partner with Mourant du Feu & Jeune. He was born in 1958 and was educated at Victoria College and St. Catherine's College, University of Cambridge.

He was admitted in 1981 to the English Bar (Middle Temple) and in 1984 to the Jersey Bar. He is a member of the Editorial Board of the Jersey Law Review and is the Belgian Consul in Jersey. He is a former President of the National Trust for Jersey and of the Law Society of Jersey.

Mr. Clive Aubrey Charles Chaplin

Clive Chaplin graduated from Nottingham University with an upper second class Bachelor of Arts degree in law in 1974. He subsequently attended the College of Law in Guildford and after 2 years articles in central London, qualified as an English Solicitor in June 1977. In April 1979, he took up a position at Michael Voisin & Co. as an assistant solicitor specialising in unit trusts and other investment funds. He qualified as a solicitor of the Royal Court in June 1985 and became a partner at Michael Voisin & Co.

In August 1986, he left private practice to take up a position as senior counsel with an international investments group headquartered in Jersey and later also became the company secretary of the publicly quoted parent. He returned to private practice in October 1994 joining Ogier & Le Masurier as a partner within the business law group and at present is the head of the Business and Trust Law group of the firm.

There are no additional financial or manpower implications for the States arising from this proposition.