

# STATES OF JERSEY



## DRAFT INTERNATIONAL CO-OPERATION (PROTECTION FROM LIABILITY) (JERSEY) LAW 2018 (APPOINTED DAY) ACT 201-

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Lodged au Greffe on 14th May 2019  
by the Chief Minister

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STATES GREFFE





Jersey

## **DRAFT INTERNATIONAL CO-OPERATION (PROTECTION FROM LIABILITY) (JERSEY) LAW 2018 (APPOINTED DAY) ACT 201-**

### **REPORT**

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The [International Co-operation \(Protection from Liability\) \(Jersey\) Law 2018](#) was adopted by the States Assembly on 10th July 2018. The Law received Royal Assent on 10th October 2018 and was registered by the Royal Court on 19th October 2018.

Article 5 provided that the Law would come into force by an Appointed Day Act.

A detailed report as to the purpose and effect of the Law was provided in the Report within [P.54/2018](#) when the draft Law was lodged *au Greffe*.

As described in that report, the Law protects public authorities in Jersey against claims for costs, damages or consequential losses when acting in matters of international assistance. This assistance could include obtaining evidence or information, obtaining assets, conducting investigations, conducting searches or providing assistance in any legal proceedings. Such assistance would usually be provided by H.M. Attorney General and certain other public office holders and bodies in Jersey.

This ensures that, in cases where public authorities in Jersey act at the request of other jurisdictions under international arrangements, those authorities will not face adverse costs orders for acting in good faith. Where a person (usually the object of the investigation) has any complaint as to the reasonableness of the investigation, then such complaints can be addressed to the home jurisdiction of the investigators.

The Law also provides protection in respect of claims for damages. It is common to have provisions protecting regulatory bodies from claims for damages, save in cases of bad faith or human rights issues. The Law addresses some outstanding areas where this issue has not been dealt with already through other legislation.

If this Appointed Day Act is adopted, the Law will be brought into force on the day the Act is made.

#### **Financial and manpower implications**

There are no additional resource implications. The Law will protect the public purse from claims for costs, damages or consequential losses when acting in good faith in matters of international assistance and co-operation.





Jersey

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Jersey

## **DRAFT INTERNATIONAL CO-OPERATION (PROTECTION FROM LIABILITY) (JERSEY) LAW 2018 (APPOINTED DAY) ACT 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Article 5 of the International Co-operation (Protection from Liability) (Jersey) Law 2018<sup>1</sup>, have made the following Act –

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### **1 Commencement of Law**

The International Co-operation (Protection from Liability) (Jersey) Law 2018<sup>2</sup> comes into force on the day on which this Act is made.

### **2 Citation**

This Act may be cited as the International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201-.

## ENDNOTES

### Table of Endnote Reference

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<sup>1</sup> *L.29/2018*

<sup>2</sup> *L.29/2018*