

STATES OF JERSEY

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DRAFT ROAD TRAFFIC (AMENDMENT No. 4) (JERSEY) LAW 200-

**Lodged au Greffe on 4th July 2006
by the Minister for Transport and Technical Services**

STATES GREFFE



Jersey

European Convention on Human Rights

The Minister for Transport and Technical Services has made the following statement –

In the view of the Minister for Transport and Technical Services the provisions of the Draft Road Traffic (Amendment No. 4) (Jersey) Law 200 are compatible with the Convention Rights.

(Signed) **Deputy G.W.J. de Faye of St. Helier**

REPORT

In January, the States approved Proposition P.156/2005, from the Deputy of St. Martin, amended by the Comité des Connétables, that fines gathered from speeding offences detected by the Honorary Police of a parish and dealt with at the parish hall shall be for the benefit of the parish.

A draft amendment to the Road Traffic (Jersey) Law 1956, namely the Road Traffic (Amendment No. 4) (Jersey) Law 200-, has been prepared which, if adopted by the States, sanctioned by the Privy Council and registered in the Royal Court, will give effect to the proposal.

Financial/Manpower implications

As stated at the time of the debate, if this draft Law is adopted, there will be a loss of income to the States in the region of £35,000 per year.

There are no manpower implications.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Minister in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 30th June 2006 the Minister for Transport and Technical Services made the following statement before Second Reading of this Projet in the States Assembly –

In the view of the Minister for Transport and Technical Services the provisions of the Draft Road Traffic (Amendment No. 4) (Jersey) Law 200 are compatible with the Convention Rights.

Explanatory Note

This draft Law replaces Article 90 of the Road Traffic (Jersey) Law 1956, so as to add to the existing provisions of that Article a requirement that fines for speeding offences imposed under the Law by the Honorary Police at a parish hall shall be applied for the benefit of the parish in which the offences occurred and may be applied towards the general expenses of the parish.



Jersey

DRAFT ROAD TRAFFIC (AMENDMENT No. 4) (JERSEY) LAW 200-

A LAW to amend further the Road Traffic (Jersey) Law 1956.

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 Article 90 substituted

For Article 90 of the Road Traffic (Jersey) Law 1956^[1] there shall be substituted the following Article –

“90 Application of fines

- (1) A fine imposed for an offence under Articles 18, 20, 21, 22, 23, 25, 26, 27, 51 and 53 shall be awarded for the benefit of Her Majesty.
- (2) Despite paragraph (1), if a fine in relation to an offence under Article 21 is inflicted and levied summarily by a Connétable or Centenier of the parish where the offence was committed, the fine shall be awarded for the benefit of the parish and shall be applied towards the general expenses of the parish.
- (3) A fine imposed for –
 - (a) an offence under this Law, other than an offence specified in paragraph (1); or
 - (b) an offence under any Order,shall be awarded for the benefit of the annual income of the States.
- (4) Despite paragraph (3), if a fine in relation to –
 - (a) an offence under this Law, other than an offence specified in paragraph (1); or
 - (b) an offence under any Order,is inflicted and levied summarily by a Connétable or Centenier of the parish where the offence was committed –
 - (i) half of the fine shall be awarded for the benefit of the annual income of the States; and
 - (ii) half of the fine shall be awarded for the benefit of the parish and shall be applied towards the cost of maintaining by-roads of the parish.”.

2 Citation and commencement

This Law may be cited as the Road Traffic (Amendment No. 4) (Jersey) Law 200 and shall come into force on the seventh day after it is registered.

