

STATES OF JERSEY



DRAFT CONNÉTABLES (MISCELLANEOUS PROVISIONS – CONSEQUENTIAL AMENDMENTS) (No. 2) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 16th March 2016
by the Comité des Connétables**

STATES GREFFE



Jersey

DRAFT CONNÉTABLES (MISCELLANEOUS PROVISIONS – CONSEQUENTIAL AMENDMENTS) (No. 2) (JERSEY) REGULATIONS 201-

REPORT

The Connétables (Miscellaneous Provisions) (Jersey) Law 2012 repealed the operational policing functions of the Connétables and conferred powers on the States to make Regulations to repeal or amend legislation, including Laws sanctioned by Her Majesty in Council, which conferred any policing function on a Connétable. This included *vires* for such Regulations to confer powers instead on a Centenier.

Article 7 of the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010 currently permits a Connétable or a Centenier of the parish to impose a fine for an offence under the Law. The reference to Connétable will be removed by the amendment so that only a Centenier may impose a penalty.

A reference to “Connétable” is also to be removed from paragraph 17.3 of Code C under the heading “Charging/Bailing of Detained Persons” in the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004 (other references in Code C were amended by the Connétables (Miscellaneous Provisions – Consequential Amendments) (Jersey) Regulations 2014).

Financial and manpower implications

There are no financial or manpower implications for the States or the parishes arising from the adoption of these draft Regulations.

Explanatory Note

These Regulations remove the power of a Connétable to impose a penalty for an offence under the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010. The power of a Centenier to impose a penalty up to the same amount as a Connétable is left unchanged.

These Regulations also remove a reference in a Code of Practice to a Connétable charging a person for a criminal offence. The reference is contained in Code C under the heading “Charging/Bailing of Detained Persons” in the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004.

These Regulations are made under the Connétables (Miscellaneous Provisions) (Jersey) Law 2012 which abrogated the policing functions of Connétables at customary law and gave the States powers to make Regulations to repeal any policing function contained in any enactment. Amendments repealing policing functions in other enactments are contained in the Connétables (Miscellaneous Provisions – Consequential Amendments) (Jersey) Regulations 2014.

These Regulations come into force 7 days after the day they are made.



Jersey

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

THE STATES, in pursuance of Article 5 of the Connétables (Miscellaneous Provisions) (Jersey) Law 2012¹, have made the following Regulations –

1 Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010 amended

In Article 7 of the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010² –

- (a) in the heading for the word “Connétable” there shall be substituted the word “centenier”;
- (b) in paragraph (1) –
 - (i) the words “the Connétable or”, in the first place they appear, shall be deleted,
 - (ii) the words “Connétable or”, in the second place they appear, shall be deleted.

2 Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004

In the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004³, in paragraph 17.3 of Code C, the words “Connétable or” shall be deleted.

3 Citation and commencement

These Regulations may be cited as the Connétables (Miscellaneous Provisions – Consequential Amendments) (No. 2) (Jersey) Regulations 201- and shall come into force 7 days after the day they are made.

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- ¹ *chapter 23.080*
² *chapter 05.775*
³ *chapter 23.750.20*