

**DRAFT EUROPEAN COMMUNITIES LEGISLATION  
(IMPLEMENTATION) (AMENDMENT) (JERSEY) LAW 199**

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**Lodged au Greffe on 19th October 1999  
by the Policy and Resources Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

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## **Report**

The proposed amendment to the European Communities Legislation (Implementation) (Jersey) Law 1996 is required to avoid difficulties arising in implementing European Union sanctions legislation where the European regulations giving effect to the sanctions do not apply automatically to the Island because they do not fall within the scope of Protocol 3 of the Treaty of Accession of the United Kingdom to the European Communities which Protocol defines the Island's relationship with the European Union.

The Policy and Resources Committee considers that it is in the Island's best interests that the Insular Authorities should be in a position to give effect to European Union sanctions legislation in the same way as in the United Kingdom, and without delay. With the enactment of the proposed amendment it will be possible to give immediate or early effect to a European Community provision by the making of an Order, where it is considered by the Committee to be necessary or expedient in the public interest to do so.

Difficulties arose in the recent past in implementing European Union sanctions legislation in respect of Yugoslavia and Serbia and with the proposed amendment such difficulties would be avoided in the future.

### **Explanatory Note**

The effect of this draft Law is to modify the power in the European Communities Legislation (Implementation) (Jersey) Law 1996 to give effect to Community legislation by means of Regulations rather than Laws. Where the Policy and Resources Committee consider it necessary or expedient in the public interest to give immediate or early effect to a Community provision relating to the common foreign and security policy as set out in Article 12 of the Maastricht Treaty, this may be done by Order of that Committee rather than by Regulations.

**EUROPEAN COMMUNITIES LEGISLATION  
(IMPLEMENTATION) (AMENDMENT) (JERSEY) LAW 199**

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**A LAW** to amend the European Communities Legislation (Implementation) (Jersey) Law 1996; sanctioned by Order of Her Majesty in Council of the

*(Registered on the      day of      199 )*

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**STATES OF JERSEY**

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The      day of      199

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**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law -

ARTICLE 1

After paragraph (3) of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996<sup>1</sup> there shall be inserted the following paragraphs -

“(4) Where -

- (a) in the opinion of the Policy and Resources Committee, immediate or early enactment of a Community provision is necessary or expedient in the public interest; and

<sup>1</sup> Volume 1996-1997, page 4.

- (b) that Community provision is contained in or arises under Article 12<sup>2</sup> of the Treaty on European Union signed at Maastricht on 7th February 1992 (which relates to the common foreign and security policy),

the Policy and Resources Committee may, by Order, make such provision as may be made by the States by Regulations under paragraphs (1) to (3) of this Article.

(5) The Subordinate Legislation (Jersey) Law 1960, as amended, shall apply to Orders made under this Article.”.

## ARTICLE 2

This Law may be cited as the European Communities Legislation (Implementation) (Amendment) (Jersey) Law 199 .

<sup>2</sup> The reference is to the consolidated version of the treaty incorporating the changes made by the Treaty signed at Amsterdam on 2nd October 1997 amending the Treaty on European Union.