

STATES OF JERSEY



DRAFT EMPLOYMENT OF STATES OF JERSEY EMPLOYEES (JERSEY) LAW 200

**Lodged au Greffe on 24th May 2005
by the Policy and Resources Committee**

STATES GREFFE



Jersey

DRAFT EMPLOYMENT OF STATES OF JERSEY EMPLOYEES (JERSEY) LAW 200

European Convention on Human Rights

The President of the Policy and Resources Committee has made the following statement –

In the view of the Policy and Resources Committee the provisions of the Draft Employment of States of Jersey Employees (Jersey) Law 200- are compatible with the Convention Rights.

(Signed) **Senator F.H. Walker**

REPORT

Introduction

This draft Law represents one of the final significant elements of the consequential adjustments following on from the decision by the States to move to ministerial government.

It is designed to introduce new arrangements which will establish how public service employees will be treated following the changes at the end of the year. In addition, it also institutes the Jersey Appointments Commission on a formal legal basis; previously it had been constituted by means of an Act of the States.

Under the terms of the proposed legislation, all public servants (with some exceptions and variations set out in the legislation and identified below) will become employees of a States Employment Board. The Board will act as the employer and will be constituted as a legal entity. Its membership will be drawn from the Council of Ministers and will consist of at least 3 members of the Council, with the Chief Minister being appointed as Chairman of the Board, although the latter responsibility can be delegated to another member of the Council if the Chief Minister so wishes.

Functions of the States Employment Board

The functions of the States Employment Board are set out in Article 8 of the Law. Effectively it will have responsibility for the functions that are currently exercised by the Policy and Resources Committee in relation to the employment of civil servants and by administering Committees of the States in connection with the employment of the remaining public service employees. In constituting a single employer for all public service employees, it is considered that a consistent, coherent and harmonised approach to human resource management issues will be secured, which will prove of overriding benefit in future.

The intention is that employees' pay, terms and conditions of service and other matters relating to their management will be arranged through individual employment contracts, collective agreements entered into with relevant representative staff groups and associations, policies and procedures and codes of conduct. Wherever possible, the utilisation of legislation will be avoided and, as a consequence, significant amounts of existing legislation will be repealed. Running in parallel with the creation of this new legislation has been the development of "recognition agreements" which provide the framework within which an integrated and consultative approach will be taken by the States Employment Board with representative union groups and associations in order to better manage relationships in future. Such an approach is consistent with the proposed new Employment Relations Law. As a consequence, certain existing Employment Councils will be replaced under the arrangements reflected in these new recognition agreements.

The States Employment Board will also have powers to delegate its responsibilities. In practice, it is envisaged that the day-to-day management of States employees will be delegated to the Head of the Public Service and, through the Corporate Management Board, to departmental chief officers and other managers, as appropriate. Relevant officers will, of course, be held accountable for any decisions taken as a consequence of this delegation.

In order to ensure that the States is kept informed of the Board's activities, the Board will be obliged to produce an Annual Report to the States which reviews its activities over a calendar year.

Special conditions relating to certain groups

Whilst the States Employment Board will have responsibility for the majority of public servants, certain office holders have been excluded in part from the proposed new arrangements.

Officers who will not be treated as States employees under these proposals are Crown Officers and Crown Appointees, including postholders referred to in the Departments of the Judiciary and Legislature Law (identified in the Schedule to this draft Law) and members of the uniformed police service, who have traditionally been seen as a special group. In the case of the Senior Officers included in the Schedule to this Law, the States Employment Board will be responsible for setting their salaries and allowances following negotiation with such officers. At present, this role is performed by the Policy and Resources Committee.

In the case of members of the uniformed police service, advice from the Law Officers' Department has established that police officers should not be treated as "employees" but as office holders, with freedom to exercise their powers as police constables without political or other interference. As a consequence, it has been decided that police officers should not be included within the terms of the proposed new legislation but should,

instead, be dealt with through the revision of the existing 1974 Police Law. The latter legislation is currently being prepared and will include provision for such matters as pay and other terms and conditions of service being settled through negotiation by a representative body referred to as a Police Negotiation Board, which will comprise representatives of the Police Officers' Association and the States Employment Board.

Action has also been taken to maintain the operational independence of the Departments of the Judiciary and Legislature, which remain outside of the executive arm of government. Provision has been made within the draft Law to ensure that officers employed within the Bailiff's Department, Law Officers' Department, Viscount's Department, Judicial Greffe and States Greffe will not be appointed, dismissed or managed by the executive arm of the Island's government. This responsibility will remain with the relevant senior officer responsible for the department in question. This separation will reinforce the independence of the scrutiny function from the executive function. However, such employees will continue to be covered by the same policies and pay and terms and conditions of service as those provided for all States employees.

The special position of Probation Officers as officers of the Court has also been recognised. Under the terms of existing legislation (Loi of 1937) the Royal Court exercises special rights in connection with the appointment and other matters relating to Probation Officers. Whilst Probation Officers will be States employees, nevertheless provision has been made for the Court to retain its existing powers in relation to such officers.

Jersey Appointment Commission

As was noted earlier, the opportunity is being taken to constitute the independent Jersey Appointments Commission through primary legislation. (It had formerly been created by means of an Act of the States.) In essence the role and responsibilities of the Commission remain unchanged, with its primary purpose to ensure that the appointment of employees to the States and to independent bodies that have been constituted by the States is carried out fairly and objectively. It achieves this through the issuing of guidelines and the direct involvement of members of the Commission in the appointment of senior officers.

In order to support the Commission in the exercise of its powers, it will be granted entitlement to carry out audits of recruitment and selection processes relating to both the public service and independent States bodies, to require that a member of the Commission participates in all processes associated with senior appointments and to produce an Annual Report to the States.

Consequential Amendments

As a consequence of the implementation of this Law, certain provisions contained within other primary legislation need to be repealed or adjusted in order to conform to these new arrangements. In part, this is achieved in Part 5 of the Law. In addition, power has been taken in Article 39 to secure the consequential repeal or adjustment of subordinate legislation by means of a single set of Regulations which will come before the States in the near future for approval.

Consultation

The Policy and Resources Committee has carried out a significant level of consultation in developing these proposals. It has circulated draft legislation for comment to –

- Presidents of States Committees;
- Chief Officers of all States Departments;
- representatives of all union groups and associations.

In addition, meetings have been held with a number of the above individuals and groups in order to discuss any issues that had been raised. The proposed legislation has taken account of the responses that have been received.

Financial and manpower consequences of the draft Law

This approach is seen as a major stride forward in developing the human resource practices of the States of Jersey and in bringing them into line with the more contemporary approach adopted by employers elsewhere. It also paves the way for a more efficient and effective management of public service employees and thereby provides the opportunity to make the States of Jersey more efficient and effective, with consequential savings in manpower and financial resources.

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 Committee 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 23rd May 2005 the Policy and Resources Committee made the following statement before Second Reading of this projet in the States Assembly –

In the view of the Policy and Resources Committee the provisions of the Draft Employment of States of Jersey Employees (Jersey) Law 200- are compatible with the Convention Rights.

Explanatory Note

This Law establishes the States Employment Board, which is to be the employer of persons on behalf of the States. It also places into legislation provisions relating to an Appointments Commission, which is to oversee the appointment of the holder of certain offices in the public service or statutory authorities and the processes by which recruitment occurs generally across the public service.

Parts 1, 2 and 3 – Employment of public servants

Article 1 contains interpretation provisions. The public service is defined as those persons employed under this Law.

Article 2 specifies who shall be States' employees. Persons who are specified in the Schedule, appointed by the Crown, police officers or officers or servants of the Crown shall not be States' employees for the purposes of this Law.

Article 3 specifies that the Chief Executive to the Council of Ministers and Head of the Public Service shall be responsible for the administration and general management of the public service.

Article 4 establishes the States Employment Board.

Article 5 specifies the membership of the Board to be the Chief Minister (or a member of the Council of Ministers who is nominated by him or her) and not less than 2 other members of the Council of Ministers appointed by the Council of Ministers. While acting as members of the Board, Ministers shall act collectively as an employer (not as Ministers) whose function is to employ public service employees.

Article 8 sets out the functions of the Board, which consist of policy-making and administrative functions (e.g. the hiring of employees).

Article 9 gives to the Board the powers necessary to perform its functions.

Article 10 empowers the Board to delegate any of its functions or powers to one of its members or the Chief Executive Officer. A member to whom a function or power is delegated may delegate the power or function to the Chief Executive Officer. If the Chief Executive Officer is delegated a power or function, he or she may delegate it to another person who is a person, or a member of a class of persons, approved by the States Employment Board.

Article 11 requires the Board to report annually to the States.

Article 12 establishes that, unless an enactment states otherwise, no person is to be employed under a contract of employment on behalf of the States or an administration of the States except by the Board. The States may remove this restriction in relation to a particular office by specifying the office in Regulations.

Article 13 states that this Law does not affect the power of the States, or other persons, in other enactments to appoint persons to offices (which appointments do not of themselves constitute "employment", but merely appointment to statutory offices, although such appointments are frequently accompanied by contracts of employment or other statements as to terms and conditions of office).

Part 4 – Appointments Commission

Part 4 of the Law establishes in legislation the Appointments Commission, which has previously been established by an Act of the States.

Article 15 enables the States to specify that persons who are employed by a person but who are not "States' employees" generally for the purposes of the Law (for example, because they are employed directly by a body rather than the States) are nonetheless to be employees for the purposes of Part 4– i.e. that the Commission may supervise the recruitment of such persons to those offices.

Article 16 states that the States may specify which offices are to be designated as "senior States' offices". The Commission may designate additional offices to be "senior States' offices". In either case, the Commission will scrutinise more closely the recruitment of persons to such offices.

Article 17 establishes the Commission.

Article 18 sets out the membership of the Commission and the expertise and experience that a person must have in order to be eligible for appointment as a member of the Commission. This is to be, generally speaking, expertise and experience in recruitment or management in either the public or private sectors. Members of the States,

States' employees and employees of the States or an administration of the States may not be members of the Commission. The States Employment Board shall set the terms and conditions of the appointment, but may not reduce the pay of a Commissioner during the period of the appointment, or alter the terms of appointment of a Commissioner without his or her approval during that period.

Under *Article 19* the States may dismiss a member of the Commission.

Article 23 sets out the functions of the Commission. The Commission is to ensure that the recruitment of States' employees (including persons designated under *Article 15*) is fair, efficient and conducted in accordance with best practice principles and procedures, to ensure that States' employees are appointed on merit, and to ensure that members of the States are only involved in the recruitment of States' employees in accordance with guidelines or otherwise where the Commission is of the opinion that it is appropriate that they be involved.

Under *Article 24* the Commission is to produce guidelines in relation to the recruitment of States' employees, the grounds of selection of such persons, and the circumstances in which a member of the States may be involved in the recruitment of such persons.

Under *Article 25* the Commission is to audit the performance of administrative units in relation to recruitment of States' employees and to produce reports in relation to such audits. The Commission can also require information to be provided to the Commission in relation to the exercise of the Commission's functions. A person who fails to comply with such a requirement shall be liable to a fine of level 2 on the standard scale (€500).

Under *Article 26* the Commission may require that it be notified when recruitment of a person to a senior States' office is to occur, so that a nominee of the Commission may attend meetings, interviews and panels in relation to the recruitment.

Under *Article 27* the Commission shall report to the Board if it is not satisfied with the recruitment processes in relation to a States' employee or that *Article 26* has been complied with.

Article 28 sets out the Commission's other reporting requirements.

Article 29 states that the States may direct the Commission as to the performance of its functions and the exercise of its powers.

Part 5 – Amendments to other enactments

Article 30 amends the *Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée* by stating that a probation officer ("un délégué") who is appointed by the Royal Court shall be an employee of the States Employment Board but, while so appointed, shall not be suspended or dismissed from that office or from his or her employment as a States employee, except with the approval of that Court. They shall also not be directed in the discharge of their duties by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of one of those persons.

Articles 31 to 34 amend the *Aerodromes (Administration) (Jersey) Law 1952*, the *Prison (Jersey) Law 1957*, the *Fire Service (Jersey) Law 1959* and the *Harbours (Administration) (Jersey) Law 1961* so that the holders of the statutory offices of Harbour Master, prison officer, Governor, Chief Officer of the Fire Service, fire service officer and Harbour Master are those persons who are employed under this Law for that purpose. This means that if the contract of employment of the holder of such an office is terminated, he or she ceases to hold that office.

Article 35 amends the *Departments of the Judiciary and the Legislature (Jersey) Law 1965* to ensure that each States' employee who is appointed to the Bailiff's Department, the Law Officers Department, the Viscount's Department or the Judicial Greffe shall not be appointed to, or suspended or dismissed from that office or, while so appointed, have his or her employment as a States' employee suspended or terminated, without the approval of the Bailiff, the Attorney General, the Viscount or the Judicial Greffier respectively.

Furthermore, a statement is made in the Law that each States' employee who is appointed to the Bailiff's Department, the Viscount's Department or the Judicial Greffe shall not be directed in the discharge of his or her duties in that office by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of one of those persons.

Also, a statement is made in the Law that each States' employee who is appointed to the Law Officers Department shall not be directed in the discharge of his or her duties in that office by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of one of those persons.

The Article also states that the States Employment Board shall determine the salaries, allowances, pensions and gratuities of the Bailiff, the Deputy Bailiff, the Attorney General, the Solicitor General, the Viscount, the Deputy

Viscount, the Judicial Greffier and the Deputy Judicial Greffier, after consultation with them.

Article 36 amends the Education (Jersey) Law 1999 so that the office of “Director of Education” becomes the “Chief Officer” and the holder of that office becomes the person who is employed under this Law to be the head of the administration of the States relating to education. Therefore, if his or her employment is terminated, he or she ceases to hold that office.

Article 37 amends the Public Library (Jersey) Regulations 2003 so that the holder of the office of Chief Librarian becomes the person who is employed under this Law to be the Chief Librarian. Therefore, if his or her employment is terminated, he or she ceases to hold that office.

Article 38 amends the States of Jersey Law 2005. Firstly, it amends references to “officers” so that they refer to States’ employees. Secondly, it amends that Law so that the remuneration and terms of appointment of the Greffier of the States and the Deputy Greffier of the States shall be determined by the States Employment Board, after consultation with those officers. Thirdly, it inserts in that Law provisions ensuring that no States’ employee may be appointed to, suspended or dismissed from appointment to, the States Greffe, or, while so appointed, have his or her employment as a States’ employee suspended or terminated, except with the consent of the Greffier of the States. Finally, it inserts a provision into that Law to ensure that a States’ employee appointed to the States Greffe shall discharge his or her duties under that appointment under the direction and general supervision of the Greffier of the States, and shall not be directed or supervised in the discharge of those duties by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of such a person.

Article 39 enables the States to amend this Law by Regulations and to make, by Regulations, repeal, amendment, transitional and savings provisions if they are necessary or convenient for the purposes of this Law. These would be used to make amendments to numerous pieces of legislation.

Article 40 states the name by which the Law shall be cited and specifies the commencement provisions in relation to the Law. Provisions enabling Regulations to be made under the Law shall commence 7 days after this Law comes into force. The remaining provisions shall commence on the day or days appointed by the States.

English Translation

30 Amendment of Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée

In Article 7 of the Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée –

- (a) in paragraph (2) there shall be inserted after the words “persons” the words “who shall be States’ employees within the meaning of Article 1 of the Employment of States of Jersey Employees (Jersey) Law 200-”;
- (b) for paragraphs (4), (5) and (6) there shall be substituted the following paragraphs –
 - “(4) A delegate shall be a States’ employee within the meaning of Article 1 of the Employment of States of Jersey Employees (Jersey) Law 200-.
 - (5) Notwithstanding that he is a States’ employee, a delegate cannot be suspended from his employment except by the Bailiff and cannot be removed from his employment except by a decision of the Superior Number of the Royal Court.
 - (6) Neither –
 - (a) the Chief Executive; nor
 - (b) the States Employment Board; nor
 - (c) a Minister; nor
 - (d) a person acting on behalf of any of them,may direct in any way a delegate in the performance of his duties.”.



Jersey

DRAFT EMPLOYMENT OF STATES OF JERSEY EMPLOYEES (JERSEY) LAW 200

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Jersey

DRAFT EMPLOYMENT OF STATES OF JERSEY EMPLOYEES (JERSEY) LAW 200-

A LAW relating to the establishment of the States Employment Board, the employment under contract of persons by that Board on behalf of the States or an administration of the States, the determination by the Board of the terms and conditions of such contracts of employment, the establishment of the Appointments Commission to oversee the appointment of persons to significant public positions and determine procedures for the appointment of States' employees and certain persons employed by other persons on behalf of the States, to amend various enactments and for connected purposes.

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 –

PART 1

PRELIMINARY MATTERS

1 Interpretation

In this Law, unless the context otherwise requires –

“administration of the States” means –

- (a) a department established on behalf of the States; and
- (b) a body, office, or unit of administration, established on behalf of the States (including under an enactment), other than an independent body;

“Chief Executive Officer” has the meaning assigned by Article 3;

“Commission” means the Jersey Appointments Commission established by Article 17;

“Commissioner” means a person appointed under Article 18 to be a Commissioner and includes the Chairman of the Commission appointed under that Article;

“contract of employment” includes a contract of apprenticeship;

“independent body” means a body, office, or unit of administration –

- (a) that is established on behalf of the States (including under an enactment); and
- (b) in relation to which a person or body other than the States Employment Board employs under a contract of employment the staff of the body, office or unit;

“member” in relation to the States Employment Board, means a person appointed under Article 5(1)(b) to be a member of the Board and includes –

- (a) the Chief Minister; or
- (b) if the Chief Minister nominates a person under Article 5(1)(a) to be a member of the Board in the Chief Minister’s place – that person;

“public service” means the service consisting of States’ employees;

“recruitment” includes, but is not limited to including –

- (a) the determination of the duties, responsibilities and pre-requisites for employment as the holder of an office;
- (b) the determination of the publications in which advertisements seeking applications for employment as the holder of an office are to be placed or other methods by which applicants for such employment are to be sought, and the timing of placement in such publications or the use of such methods;
- (c) the timing and conduct of interviews of prospective candidates for employment as the holder of an office; and
- (d) the selection of a person to be employed as the holder of an office;

“senior States’ office” means an office that is prescribed or determined under Article 16(1) or (2);

“States’ employee” has the meaning assigned by Article 2.

2 Meaning of “States’ employee”

- (1) In this Law, unless the context otherwise requires, “States’ employee” means –
 - (a) a person who is employed under a contract of employment made between the person and the States Employment Board; and
 - (b) a person who is within a class of persons prescribed under paragraph (2),
but does not include a person who is within a class of persons prescribed under paragraph (3).
- (2) The Chief Minister may prescribe by Order a class of persons to be States’ employees for the purposes of this Law.
- (3) The Chief Minister may prescribe by Order a class of persons to not be States’ employees for the purposes of this Law.
- (4) A person shall not be a States’ employee for the purposes of this Law if he or she is –
 - (a) the holder of an office specified in the Schedule;
 - (b) appointed by the Crown;
 - (c) a member of the States of Jersey Police Force; or
 - (d) otherwise an officer of the Crown.

3 Chief Executive Officer

- (1) There shall be a Chief Executive Officer.
- (2) The Chief Executive Officer shall be the person employed under this Law as the Chief Executive to the Council of Ministers and Head of the Public Service.
- (3) The Chief Executive Officer shall be responsible for the administration and general management of the public service.

PART 2

STATES EMPLOYMENT BOARD

4 States Employment Board

- (1) The States Employment Board shall be established.
- (2) The States Employment Board shall be a body corporate with perpetual succession and may –
 - (a) sue and be sued in its corporate name; and
 - (b) so far as is as possible for a body corporate, exercise the rights, powers and privileges and incur the liabilities and obligations of a natural person of full age and capacity.

5 Membership of States Employment Board

- (1) The States Employment Board shall be constituted by –
 - (a) the Chief Minister or a member of the Council of Ministers who is nominated by the Chief Minister to be a member of the Board in his or her place; and
 - (b) not less than 2 other members of the Council of Ministers who are appointed in writing by the Council of Ministers to be members of the Board.
- (2) The Chief Minister or, if the Chief Minister nominates a person under paragraph (1) to be a member of the Board in his or her place, that person, shall be the Chairman of the States Employment Board.

6 Meetings of States Employment Board

- (1) At a meeting of the States Employment Board –
 - (a) the States Employment Board may appoint a person to be the Vice-Chairman;
 - (b) the quorum of the States Employment Board shall be constituted by half of its members or if the number of its members is 3, 5, 7 or 9, shall be constituted by 3, 3, 4 or 5 members respectively;
 - (c) the Chairman, or, in the absence of the Chairman, the Vice-Chairman, or in the absence of both the Chairman and the Vice-Chairman, another member of the States Employment Board who is present at the meeting and is elected by the members of the States Employment Board who are present, shall preside;
 - (d) each member shall have one vote on each matter for deliberation;
 - (e) a decision shall be made by a majority of the votes of the members of the States Employment Board present at the meeting at which the decision is made; and
 - (f) if the votes on a matter are equal, the person presiding over the meeting in accordance with sub-paragraph (c) shall have a casting vote in addition to his or her own vote.
- (2) A resolution shall be a valid resolution of the States Employment Board, even though it was not passed at a meeting of the States Employment Board, if –
 - (a) it is signed or assented to by a majority of the members of the States Employment Board; and
 - (b) notice of the proposed resolution was given in accordance with paragraph (6) to all the members of the States Employment Board.
- (3) The States Employment Board shall keep minutes of its proceedings.
- (4) The States Employment Board shall meet when convened by the Chairman.
- (5) The Chairman –

- (a) may convene a meeting of the States Employment Board of his or her own motion; and
 - (b) shall convene a meeting of the States Employment Board if requested to do so by notice in writing signed by at least one of the members of the States Employment Board.
- (6) Subject to this Law, the States Employment Board may regulate its own proceedings (including the period of notice to be given of any meeting of the Board) and may adopt or amend rules for that purpose.
- (7) The States Employment Board may invite any person to attend, and to speak at, a meeting of the States Employment Board.

7 Liability

- (1) No person to whom this Article applies shall be liable in damages for anything done or omitted in the discharge of any functions under this Law, unless the act or omission was in bad faith.
- (2) This Article applies to the States Employment Board, any member of the States Employment Board, or any person who is under this Law a delegate of the States Employment Board or the Chief Executive Officer or otherwise acting with the authority of the States Employment Board.

PART 3

EMPLOYMENT OF MEMBERS OF PUBLIC SERVICE

8 Functions of States Employment Board

- (1) The States Employment Board shall have the following functions –
 - (a) to determine policy relating to the employment of, and the terms and conditions of employment of, States' employees, other than procedures for recruitment of States' employees;
 - (b) to ensure that the public service conducts itself with economy, efficiency, probity and effectiveness; and
 - (c) to ensure the health, safety and well-being of States' employees.
- (2) The States Employment Board shall also have the following functions –
 - (a) to employ persons on behalf of the States and administrations of the States;
 - (b) where appropriate, to consult or negotiate with States' employees, or representatives of States' employees, collective agreements as to the terms and conditions of employment of States' employees;
 - (c) to determine the employee training and development needs of States' employees and appropriate procedures for appraisal and transfer of States' employees;
 - (d) to discipline, suspend, or terminate the employment of, States' employees;
 - (e) to determine salaries, allowances, pensions and gratuities as required under the Departments of the Judiciary and the Legislature (Jersey) Law 1965;^[1]
 - (f) to determine other matters that may reasonably be considered necessary for the proper administration and management of States' employees;
 - (g) any other function conferred on it by or under an enactment.

9 Powers of States Employment Board

- (1) The States Employment Board has the powers necessary to perform its functions.
- (2) Without limiting the generality of paragraph (1), the States Employment Board has the power to enter

into contracts of employment of persons and to enter into contracts for the provision of services, including by consultants.

10 Delegation

- (1) The States Employment Board may, by instrument in writing, delegate to any of its members, or to the Chief Executive Officer, any of its powers or functions under this Law.
- (2) If a power or function has been delegated under paragraph (1) to a member of the States Employment Board, the member may, with the approval of the States Employment Board, delegate by instrument in writing the power or function to the Chief Executive Officer.
- (3) If a power or function has been delegated under paragraph (1) or (2) to the Chief Executive Officer he or she may, with the approval of the States Employment Board, delegate by instrument in writing the power or function to another person who is—
 - (a) a person approved by the States Employment Board; or
 - (b) a member of a class of persons approved by the States Employment Board.

11 Annual Report

The States Employment Board shall provide to the States, within 3 months after the end of each calendar year, a report in respect of the States Employment Board's activities under this Law during the year.

12 Only States Employment Board to employ persons on behalf of States

- (1) Subject to any other enactment, whether in force before or after this Law comes into force, no person or body other than the States Employment Board may enter into contracts of employment with persons on behalf of the States or an administration of the States.
- (2) The States may, by Regulation, specify that paragraph (1) shall not apply in relation to the employment of a person or persons to an office, or a class of offices, prescribed by the Regulation.

13 Statutory offices

Nothing in this Law apart from Part 5 shall be taken to affect a power, if any, under an enactment of the States to appoint a person to an office or to terminate under such an enactment the appointment of a person to an office, including but not limited to an office specified in the Schedule.

PART 4

JERSEY APPOINTMENTS COMMISSION

Application of Part

14 Interpretation

In this Part –

“former Appointments Commission” means the Appointments Commission established by Act of the States on 28th May 2002;

“States’ employee” includes the holder of an office that is prescribed under Article 15 for the purposes of this Part.

15 This Part may be extended to apply to independent bodies

The States may, by Regulation, prescribe to be States' employees for the purposes of this Part the holders from time to time of prescribed offices, or prescribed classes of offices, who are employed under contracts of employment by independent bodies and who would not otherwise be States' employees for the purposes of this Part.

16 Senior States' offices

- (1) The States may prescribe, by Regulation, the offices of States' employees, or the classes of offices of States' employees, that are to be senior States' offices for the purposes of this Part.
- (2) The Commission may, in writing, determine the offices of States' employees, or the classes of offices of States' employees, that are to be senior States' offices for the purposes of this Part, in addition to the offices or classes, if any, prescribed under paragraph (1).

Establishment of Jersey Appointments Commission

17 Jersey Appointments Commission established

- (1) The Jersey Appointments Commission shall be established.
- (2) The Commission shall consist of –
 - (a) a Chairman; and
 - (b) not more than 4 other Commissioners, appointed under Article 18.
- (3) The former Appointments Commission shall cease to exist on and from the date on which this Article comes into force.

18 Membership of Commission

- (1) Commissioners shall be appointed by the States on the recommendation of the Chief Minister.
- (2) The Chief Minister may only recommend a person under paragraph (1) with the approval of the States Employment Board.
- (3) The States Employment Board may only approve a person for the purposes of paragraph (2) if it is of the opinion that the person has expertise and experience in –
 - (a) recruitment within the public or private sectors;
 - (b) management at a senior level in the public, private, academic or voluntary sectors; or
 - (c) other matters relevant to the powers and functions of a Commissioner.
- (4) Subject to this Article and Article 19, the Chairman shall hold office for 4 years but may be re-appointed.
- (5) A Commissioner (other than the Chairman) shall hold office, subject to this Law, for the period of not more than 4 years that is specified in his or her instrument of appointment, but may be re-appointed.
- (6) A person shall not be appointed to be a Commissioner if he or she is a States' employee or a member of, or an employee of, the States, an administration of the States or an independent body.
- (7) A person shall not be re-appointed as a Commissioner if the re-appointment would have the effect that he or she would be a Commissioner for more than 8 consecutive years, unless he or she is the Chairman during the subsequent years for which he or she would be re-appointed.

- (8) A person shall not be appointed to be the Chairman for more than 8 consecutive years.
- (9) For the purposes of paragraphs (7) and (8), any period before the commencement of this Law during which a person was a Commissioner, or the Chairman, of the former Appointments Commission shall be taken to be a period of appointment as a Commissioner, or the Chairman, as the case may be, under this Law.
- (10) A Commissioner shall be appointed on the terms and conditions specified by the States Employment Board.
- (11) The remuneration of a Commissioner shall not be reduced during the period of his or her appointment.
- (12) No term or condition of the appointment of a Commissioner shall be altered during the period of the appointment without the agreement of the Commissioner.

19 Removal from office of member of Commission

- (1) The States may dismiss a Commissioner on the grounds it thinks fit.
- (2) The Commission may notify the Chief Minister that it is of the opinion that the States should dismiss a Commissioner because –
 - (a) the Commissioner, without reasonable cause and without giving reasonable notice to the Commission, failed to attend 3 consecutive meetings of the Commission;
 - (b) the Commission is of the opinion that the Commissioner is incompetent or incapable of carrying out the Commissioner's functions under this Law; or
 - (c) the Commission is of the opinion, on reasonable grounds, that the Commissioner is not capable of exercising independent judgment in relation to the appointment of States' employees.
- (3) The Chief Minister shall inform the States of an opinion of which he or she has been notified under paragraph (2).
- (4) A person shall cease to hold the office of Commissioner if he or she becomes a States' employee or a member of, or an employee of, the States, an administration of the States or an independent body.
- (5) A Commissioner may, by notice in writing to the Chief Minister, resign as a Commissioner.

20 Deputy Chairman and Secretary and Executive Officer of Commission

- (1) The Commission shall appoint one of its members to be the Deputy Chairman, to act as the Chairman in the absence of the Chairman.
- (2) The Commission shall appoint a person to be the Secretary and Executive Officer of the Commission.

21 Meetings of the Commission

- (1) The Commission shall meet at least 4 times each year.
- (2) At a meeting of the Commission –
 - (a) the quorum shall be constituted by 3 Commissioners;
 - (b) one of the Commissioners at the meeting shall be –
 - (i) the Chairman,
 - (ii) in the absence of the Chairman, the Deputy Chairman, or
 - (iii) in the absence of the Chairman and the Deputy Chairman, a person nominated at the meeting to carry out the functions of the Chairman at the meeting;
 - (c) the Chairman, or, in the absence of the Chairman, the Deputy-Chairman, or in the absence of

- both the Chairman and the Deputy-Chairman, the person nominated under sub-paragraph (b)(iii) shall preside;
- (d) each Commissioner shall have one vote on each matter for deliberation;
 - (e) a decision of the Commission shall be made by a majority of the votes of the Commissioners present at the meeting at which the decision is made; and
 - (f) if the votes on a matter are equal, the person presiding over the meeting in accordance with sub-paragraph (c) shall have a casting vote in addition to his or her own vote.
- (3) A decision under paragraph (2) at a meeting is of no effect unless each Commissioner was given at least 24 hours prior notice of the meeting of the Commission or all the Commissioners are present at the meeting.
 - (4) The Commission may invite any person to attend at, and to speak at, a meeting of the Commission.

22 Minutes of meetings of the Commission

- (1) The Secretary and Executive Officer of the Commission shall prepare draft minutes of each meeting of the Commission and ensure they are laid before the Commission at its next meeting.
- (2) The Commission shall, at the next meeting of the Commission, adopt minutes of the previous meeting.
- (3) The Secretary and Executive Officer of the Commission shall retain copies of minutes adopted under paragraph (2) and ensure that the minutes may be examined, on demand, by a Commissioner.

Powers and function of Commission

23 Function of Commission

The function of the Commission is to oversee the recruitment of States' employees so as to ensure that, as far as practicable –

- (a) the recruitment of persons as States' employees is fair, efficient and conducted in accordance with best practice principles and procedures;
- (b) States' employees are appointed on merit; and
- (c) members of the States are only involved in the recruitment of States' employees in accordance with guidelines made under Article 24 or otherwise in circumstances where, in the opinion of the Commission, it is appropriate that they be involved.

24 Guidelines

- (1) The Commission shall from time to time produce and review guidelines that are to apply in relation to the recruitment of States' employees.
- (2) Guidelines produced under paragraph (1) shall contain details as to –
 - (a) how recruitment of States' employees is to be performed;
 - (b) the grounds on which States' employees are to be selected; and
 - (c) the circumstances in which a member of the States may be involved in the recruitment of States' employees.
- (3) The Commission shall ensure that guidelines produced under paragraph (1) are available for viewing by any person.
- (4) The Commission shall take all reasonable steps to ensure that guidelines produced under paragraph (1) are followed in relation to the recruitment of States' employees.

25 Audit of recruitment practices

- (1) The Commission may carry out, or order to be carried out, an audit of the recruitment practices in relation to –
 - (a) States' employees of an administration of the States; or
 - (b) States' employees of an independent body.
- (2) The Commission may require a person to provide information to the Commission, or to another person, carrying out an audit under paragraph (1).
- (3) The Commission shall, within 3 months of the completion of an audit under paragraph (1) in relation to a States' employee of an administration of the States, produce a report in relation to the audit and provide a copy of the report to –
 - (a) the States Employment Board;
 - (b) the Chief Executive Officer; and
 - (c) the head of the administration of the States.
- (4) The Commission shall, within 3 months of the completion of an audit under paragraph (1) in relation to States' employees of an independent body, produce a report in relation to the audit and provide a copy of the report –
 - (a) to the head of the independent body to which the audit relates; and
 - (b) if an administration of the States is accountable to the States in relation to the independent body – to the head of the administration of the States.
- (5) A report under paragraph (3) or (4) may contain recommendations arising from the audit conducted under paragraph (1) to which the report relates.
- (6) A person who fails, without reasonable excuse, to comply with a requirement under paragraph (2), commits an offence and shall be liable to a penalty of level 2 on the standard scale.

26 Recruitment of persons to senior States' offices

- (1) The Commission may give a notice in writing under this paragraph to –
 - (a) the Chief Executive Officer;
 - (b) the head of an administration of the States; or
 - (c) the head of an independent body.
- (2) A notice under paragraph (1) shall require the person to whom it is given to give, to a person nominated by the Commission in the notice to be an observer, 14 days notice before the commencement of recruitment of a person to be employed as the holder of –
 - (a) a senior States' office; or
 - (b) an office that is a member of a class of senior States' offices.
- (3) The head of an administration of the States, or of an independent body, to whom a notice is given under paragraph (1) shall, unless otherwise advised by the Commission, ensure that the person nominated in the notice to be an observer is informed of any meeting taking place relating to the recruitment of a person to be employed as the holder of a senior States' office to which the notice relates.
- (4) A person nominated by the Commission in a notice under paragraph (1) to be an observer is entitled to attend any meeting that takes place relating to the recruitment of a person to be employed as the holder of a senior States' office to which the notice relates.
- (5) In this paragraph, "meeting" includes, but is not limited to including –

- (a) a meeting at which persons decide who is to be interviewed or who is to be employed as the holder of an office; and
- (b) a meeting at which a candidate for employment as the holder of an office is interviewed or assessed following an interview.

27 Report to be made to States Employment Board in certain circumstances

- (1) The Commission shall produce a report, and provide a copy of the report to the States Employment Board, if the Commission is not satisfied that –
 - (a) the recruitment of a States' employee was in accordance with the principles set out in Article 23; or
 - (b) Article 26 has been complied with.
- (2) A report under paragraph (1) shall set out the reasons why the Commission is dissatisfied and the facts on which those reasons are based.

28 Reports

- (1) The States may direct the Commission –
 - (a) to prepare a report in relation to a matter specified in the direction within the period specified in the direction; or
 - (b) to include in a report for the purposes of paragraph (4) a report in relation to a matter specified in the direction.
- (2) The Commission shall comply with a direction under paragraph (1).
- (3) A report prepared in accordance with a direction under paragraph (1)(a) shall be delivered to the States Employment Board.
- (4) The Commission shall, within 3 months after the end of each calendar year, prepare and deliver to the States Employment Board, a report on –
 - (a) the Commission's activities during that calendar year;
 - (b) any matter in relation to which a report has been given under Article 25 or 27 during that calendar year;
 - (c) any matter specified in a direction under paragraph (1)(b) to be a matter that is to be included in the Commission's report for that calendar year; and
 - (d) other matters the Commission thinks fit.
- (5) The Chief Minister shall, within 30 days after a report is delivered to the States Employment Board in accordance with paragraph (3) or (4), lay the report before the States.

29 States may direct Commission

- (1) The States may direct the Commission to carry out under this Part any of its functions, or exercise any of its powers, in relation to –
 - (a) an administration of the States specified by the States in the direction; or
 - (b) an independent body.
- (2) A direction under paragraph (1) may specify the action that the Commission shall take under this Law.
- (3) The Commission shall comply with a direction of the States under paragraph (1).

PART 5

AMENDMENTS TO OTHER ENACTMENTS

30 Amendment of Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée

In Article 7 of the Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée for paragraphs (4), (5) and (6) there shall be substituted the following paragraphs –

- “(4) Un délégué aura la qualité d'employé des Etats ('States' employee') dans le sens de l'Article 1 de la Loi dite Employment of States of Jersey Employees (Jersey) Law 200.
- (5) Nonobstant qu'il est un employé des Etats, un délégué ne pourra être suspendu de son emploi que par Monsieur le Bailli et ne pourra être destitué de son emploi que par une décision du Nombre Supérieur de la Cour Royale.
- (6) Ni –
 - (a) le Directeur Exécutif; ni
 - (b) le Conseil de l'Emploi des Etats; ni
 - (c) un Ministre; ni
 - (d) une personne agissant de la part d'aucun d'iceux,ne pourra diriger en aucune façon l'exécution des devoirs d'un délégué.”.

31 Amendment of Aerodromes (Administration) (Jersey) Law 1952

- (1) In this Article, any reference to a provision is a reference to the provision in the Aerodromes (Administration) (Jersey) Law 1952. ^[2]
- (2) In Article 1 –
 - (a) for the definition “Airport Director” there shall be substituted the following definition –

“ ‘Airport Director’ means the person who is, under Article 2, the Airport Director;”;
 - (b) for the definition “Harbour Master” there shall be substituted the following definition –

“ ‘Harbour Master’ has the meaning it has in the Harbours (Administration) (Jersey) Law 1961 ^[3] and includes a person acting under that Law as the Harbour Master;”.
- (3) For Article 2 there shall be substituted the following Article –

“2 Airport Director

- (1) There shall be an Airport Director.
- (2) The Airport Director shall be the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Airport Director.
- (3) The Airport Director shall –
 - (a) police, control and administer the aerodromes in Jersey; and
 - (b) perform any other duties he or she is directed to perform in relation to air navigation by the Minister.
- (4) The States Employment Board within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200- may appoint a States' employee within the meaning of that Law to act as the Airport Director during any time when the Airport

Director is not on duty, is absent from Jersey or is suspended from the office of Airport Director or there is a vacancy in the office of the Airport Director.

- (5) A person appointed under paragraph (4) has, while acting as the Airport Director, the powers and functions of the Airport Director under this or any other enactment.”.

32 Amendment of Prison (Jersey) Law 1957

- (1) In this Article, any reference to a provision is a reference to the provision in the Prison (Jersey) Law 1957.^[4]
- (2) In Article 1(1) –
- (a) after the definition “attendance centre order” there shall be inserted the following definition –
- “ ‘Governor’ means the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Governor for the purposes of this Law;”;
- (b) after the definition “prisoner” there shall be inserted the following definition –
- “ ‘prison officer’ means a person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as a prison officer for the purposes of this Law;”.
- (3) In Article 3(1), after the word “contracts” there shall be inserted the words “, other than contracts of employment,”.
- (4) For Article 7 there shall be substituted the following Article –

“7 Chaplain and medical officer

The Minister for Home Affairs shall appoint for the prison –

- (a) a chaplain who is a clergyman of the Church of England; and
- (b) a medical officer who shall be a doctor.”.

33 Amendment of Fire Service (Jersey) Law 1959

- (1) In this Article, any reference to a provision is a reference to the provision in the Fire Service (Jersey) Law 1959.^[5]
- (2) In Article 1, for the definition “Chief Officer” there shall be substituted the following definition –
- “ ‘Chief Officer’ means the person who is, under Article 2A, the Chief Officer of the Fire Service;”.
- (3) In Article 2, paragraphs (2) and (3) shall be deleted.
- (4) After Article 2 there shall be inserted the following Articles –

“2A Chief Officer

- (1) There shall be a Chief Officer of the Fire Service.
- (2) The Chief Officer shall be the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Chief Officer of the Fire Service.

2B Acting Chief Officer

- (1) The Minister may appoint a States’ employee within the meaning of the Employment of

States of Jersey Employees (Jersey) Law 200- to act as the Chief Officer during any time when the Chief Officer is not on duty, is absent from Jersey or is suspended from the office of Chief Officer or there is a vacancy in the office of the Chief Officer.

- (2) A person appointed under paragraph (1) has, while acting as the Chief Officer, all the powers and functions of the Chief Officer under this or any other enactment.

2C Fire service officers

Persons, other than the Chief Officer, who are employed under the Employment of States of Jersey Employees (Jersey) Law 200- as members of the Fire Service shall be fire service officers for the purposes of this Law.”.

34 Amendment of Harbours (Administration) (Jersey) Law 1961

- (1) In this Article, any reference to a provision is a reference to the provision in the Harbours (Administration) (Jersey) Law 1961.^[6]
- (2) In Article 1 –
 - (a) for the definition “Harbour Master” there shall be substituted the following definition –

“ ‘Harbour Master’ means the person who is, under Article 2, the Harbour Master;”;
 - (b) for the definition “officer” there shall be substituted the following definition –

“ ‘officer’ means a States’ employee within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200-;”.
- (3) For Article 2 there shall be substituted the following Articles –

“2 Harbour Master

- (1) There shall be a Harbour Master.
- (2) The Harbour Master shall be the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Harbour Master.
- (3) The Harbour Master shall be responsible for –
 - (a) the policing, operational control and safety of the harbours and territorial waters of Jersey; and
 - (b) such other matters as the Minister entrusts to the Harbour Master for the carrying into effect of any legislation that is in force from time to time relating to shipping and sea navigation.

2A Acting Harbour Master

- (1) The States Employment Board within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200- may appoint one or more employees within the meaning of that Law to act as the Harbour Master –
 - (a) in relation to matters in respect of which the Harbour Master has directed the employee to act as the Harbour Master, whether the matters arise in relation to this Law or any other Law; and
 - (b) during any time when the Harbour Master is not on duty, is absent from Jersey or is suspended from the office of Harbour Master or there is a vacancy in the office of the Harbour Master.
- (2) A person appointed under paragraph (1) has, during the period of his or her

appointment –

- (a) while acting as the Harbour Master under paragraph (1)(a), the powers and functions of the Harbour Master under this or any other enactment in relation to matters in respect of which the Harbour Master has directed the employee to act as the Harbour Master; and
- (b) while acting as the Harbour Master under paragraph (1)(b), the powers and functions of the Harbour Master under this or any other enactment.”.

35 Amendment of the Departments of the Judiciary and the Legislature (Jersey) Law 1965

- (1) In this Article, any reference to a provision is a reference to the provision in the Departments of the Judiciary and the Legislature (Jersey) Law 1965.^[7]
- (2) In Article 1 –
 - (a) in paragraph (1) for the words “officers (within the meaning of the Civil Service Administration (Jersey) Law 1953, as amended)” there shall be substituted the words “officers who shall be persons who are States’ employees within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200-”;
 - (b) for paragraph (2) there shall be substituted the following paragraphs–
 - “(2) An officer shall not be appointed under paragraph (1) to the Bailiffs Department, the Law Officers Department, the Viscount’s Department or the Judicial Greffe, except with the consent of the Bailiff, the Attorney General, the Viscount or the Judicial Greffier, respectively.
 - (2A) An officer who is appointed under paragraph (1) to the Bailiffs Department, the Law Officers Department, the Viscount’s Department or the Judicial Greffe –
 - (a) shall not have that appointment suspended or terminated; and
 - (b) while so appointed shall not have his or her employment by the States Employment Board suspended or terminated,except with the consent of the Bailiff, the Attorney General, the Viscount or the Judicial Greffier, respectively.
 - (2B) An officer who is appointed under paragraph (1) to the Bailiffs Department, the Law Officers Department, the Viscount’s Department or the Judicial Greffe shall not be directed or supervised in the discharge of his or her duties as such an officer by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of such a person.”.
- (3) In Article 8(1), for the words “by the Policy and Resources Committee” there shall be substituted the words “by the States Employment Board”.

36 Amendment of Education (Jersey) Law 1999

- (1) In this Article, any reference to a provision is a reference to the provision in the Education (Jersey) Law 1999.^[8]
- (2) In Article 1(1), there shall be inserted before the definition of “child” the following definition –
 - “ ‘Chief Officer’ means the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Chief Officer of the administration of the States relating to education;”.
- (3) In Articles 31(4), 36(2) and (3) and Schedule 5, paragraph 5(1), for the words “Director of Education” in each place where they appear there shall be substituted the words “Chief Officer”.

- (4) Articles 55 and 56 shall be repealed.

37 Amendment of Public Library (Jersey) Regulations 2003

- (1) In this Article, any reference to a provision is a reference to the provision in the Public Library (Jersey) Regulations 2003.^[9]
- (2) In Regulation 3 –
 - (a) paragraph (1) shall be deleted;
 - (b) for paragraph (3) there shall be substituted the following paragraph–
 - “(3) The Chief Librarian shall be the person employed under the Employment of States of Jersey Employees (Jersey) Law 200- as the Chief Librarian.”.
- (3) In Regulation 4, for paragraph (1) there shall be substituted the following paragraph–
 - “(1) The States Employment Board within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200- may appoint such other States’ employees (within the meaning of that Law) and other employees as it thinks fit to assist the Chief Librarian.”.

38 Amendment of States of Jersey Law 2005

- (1) In this Article, any reference to a provision is a reference to the provision in the States of Jersey Law 2005.^[10]
- (2) In Article 25(7), for the definition“officer” there shall be substituted the following definition –
 - “ ‘officer’ means a States’ employee within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200-.”.
- (3) In Article 27(5), for the definition“officer” there shall be substituted the following definition –
 - “ ‘officer’ means a States’ employee within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200- and includes a member of the States of Jersey Police Force and an officer appointed under paragraph 1(1) of Part 1 of Schedule 2 of the Immigration Act 1971 as extended to Jersey by the Immigration (Jersey) Order 1993^[11]”.
- (4) In Article 40 –
 - (a) after paragraph (4) there shall be inserted the following paragraph–
 - “(4A) The Greffier of the States and the Deputy Greffier of the States shall be appointed on such terms and conditions as to salary, allowances, pensions or gratuities, if any, as are determined by the States Employment Board after negotiation with the Greffier of the States and the Deputy Greffier of the States respectively.”;
 - (b) in paragraph (5) for the word“officers” there shall be substituted the words “officers, who shall be person who are States’ employees within the meaning of the Employment of States of Jersey Employees (Jersey) Law 200-.”;
 - (c) after paragraph (5) there shall be inserted the following paragraphs–
 - “(5A) An officer shall not be appointed under paragraph (5) except with the consent of the Greffier of the States.
 - (5B) An officer who is appointed under paragraph (5) –
 - (a) shall not have that appointment suspended or terminated; and
 - (b) while so appointed shall not have his or her employment by the States

Employment Board suspended or terminated,
except with the consent of the Greffier of the States.

- (5C) An officer who is appointed under paragraph (5) –
- (a) shall discharge his or her duties under that appointment under the direction and general supervision of the Greffier of the States; and
 - (b) shall not be directed or supervised in the discharge of those duties by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of such a person.”.

39 Repeal etc. Regulations

The States may by Regulations –

- (a) amend this Law; and
- (b) make such repeal, amendment, transitional and savings provisions in relation to other enactments as are necessary or convenient upon the coming into effect of this Law.

PART 6

CONCLUDING PROVISION

40 Citation and commencement

- (1) This Law may be cited as the Employment of States of Jersey Employees (Jersey) Law 200-.
- (2) Article 1, this Article and Article 39 shall come into force 7 days after this Law is registered in the Royal Court.
- (3) The remaining provisions of this Law shall come into force on such day or days as the States by Act appoint.

SCHEDULE

(Articles 2(4) and 13)

OFFICES THE HOLDERS OF WHICH ARE NOT STATES' EMPLOYEES

Bailiff

Deputy Bailiff

Attorney General

Solicitor General

Viscount

Deputy Viscount

Judicial Greffier

Deputy Judicial Greffier

Greffier of the States

Deputy Greffier of the States

Master of the Royal Court

[1] Chapter 16.300.

[2] Chapter 03.035.

[3] Chapter 19.060.

[4] Chapter 23.775.

[5] Chapter 23.175.

[6] Chapter 19.060.

[7] Chapter 16.300.

[8] Chapter 10.800.

[9] Chapter 10.200.30.

[10] Volume 2005, page 345.

[11] Chapter 21.700.