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# **STATES OF JERSEY**



## **LAW REVISION BOARD: SUMMARY OF DECISIONS – APRIL 2025**

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**Presented to the States on 18th June 2025  
by the Law Revision Board**

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**STATES GREFFE**

# Decisions made by the Law Revision Board

## Introduction

The Law Revision Board met on 28th April 2025. This report records the decisions made by the Law Revision Board at that meeting.

The Law Revision Board (the Board) was established under the Law Revision (Jersey) Law 2003 and continued by the Legislation (Jersey) Law 2021 (the “Legislation Law”). The purpose of the Board is to consider draft revisions submitted by the Principal Legislative Drafter and, if satisfied the revisions are within the powers set out in Article 14 or Schedule 1 of the Legislation Law, to certify the revisions.

Article 15(9) of the Legislation Law states:

“The Minutes or other record of the transactions of the business of the Law Revision Board must be laid before the States within 2 months of the business being transacted.”

This report is laid before the States to satisfy the requirements of Article 15(9).

## Record of the business of the Law Revision Board transacted on 28th April 2025

The Board agreed –

- to certify the revised law in item 2025/1, which alphabetises entries in the Road Traffic (Public Parking Places) (Jersey) Order 2006 (document appended)
- to certify the revised law in item 2025/2, which corrects an Article heading in the Dormant Bank Accounts (Jersey) Law 2017 (document appended)
- to certify the revised law in item 2025/3, which replaces references to an Order in Council with its current short title (document appended)
- to certify the revised law in item 2025/4, which corrects cross-references to the Income Tax (Jersey) Law 1961 (document appended)
- to certify the revised law in item 2025/5, which updates references to repealed legislation (document appended)
- to certify the revised law in item 2025/6, which renumbers Schedule paragraphs (document appended)
- to certify the revised law in item 2025/7, which deletes redundant definitions (document appended)
- to certify the revised law in item 2025/8, which makes consistent reference to the library (document appended)

# Law Revision Board item 2025/1: alphabetising entries in the Road Traffic (Public Parking Places) (Jersey) Order 2006

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (pages 1 and 2) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 3 to 12) contains the draft revision.

Part 4 (pages 13 to 22) contains an appendix showing the current law for comparison.

## Part 1: Background

### The issue

Schedule 1 to the Road Traffic (Public Parking Places) (Jersey) Order 2006 (the "2006 Order") is arranged in Parts, one Part for each parish.

Lists in legislation are normally presented alphabetically so that it is easy for the reader to locate any particular entry. In the case of parishes this traditionally starts with Grouville, continues with the parishes from St. Brelade to St. Saviour, and ends with Trinity.

The sequence of the parishes in Schedule 1 to the 2006 Order is not alphabetical, meaning that St. Clement, St. Lawrence, St. Peter, St. Saviour and Trinity appear outside of the expected order. The parish entries within the Parts of Schedule 2 are arranged to match the sequencing in Schedule 1.

The task of locating an entry in relation to a specific parish would be made easier by rearranging the entries in Schedule 2 into the same alphabetical order as would result from the revision to Schedule 1.

For completeness, the entries in Schedules 3 and 4 are not affected and therefore not included in this paper.

### The proposed solution

We propose to rearrange Schedules 1 and 2 so that the Parts and entries are presented in alphabetical order by parish, as described above. The changes are shown in green text in Part 3 of this paper and an appendix is included to show the text as currently published.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the "Legislation Law") allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (c): “to rearrange the provisions of any legislation or any list in a provision of any legislation”.

## Part 2: Table of proposed solutions

| <b>Title of legislation</b>                              | <b>Article etc</b>         | <b>Current text</b>   | <b>Revised text</b>   |
|--|----------------------------|---|---|
| Road Traffic (Public Parking Places) (Jersey) Order 2006 | Schedule 1                 | <p>The Schedule is ordered as follows:</p> <ul style="list-style-type: none"> <li>Part 1 – Grouville</li> <li>Part 2 – St. Brelade</li> <li>Part 3 – St. Helier</li> <li>Part 4 – St. John</li> <li>Part 5 – St. Martin</li> <li>Part 6 – St. Ouen</li> <li>Part 7 – Trinity</li> <li>Part 8 – St. Clement</li> <li>Part 9 – St. Lawrence</li> <li>Part 10 – St. Peter</li> <li>Part 11 – St. Saviour</li> </ul>  | <p>The Schedule will be reordered as follows:</p> <ul style="list-style-type: none"> <li>Part 1 – Grouville</li> <li>Part 2 – St. Brelade</li> <li>Part 3 – St. Clement</li> <li>Part 4 – St. Helier</li> <li>Part 5 – St. John</li> <li>Part 6 – St. Lawrence</li> <li>Part 7 – St. Martin</li> <li>Part 8 – St. Ouen</li> <li>Part 9 – St. Peter</li> <li>Part 10 – St. Saviour</li> <li>Part 11 – Trinity</li> </ul>   |
| Road Traffic (Public Parking Places) (Jersey) Order 2006 | Schedule 2, Parts 4 and 17 | <p>Part 4 of the Schedule is ordered as follows:</p> <ul style="list-style-type: none"> <li>Grouville</li> <li>St. Brelade</li> <li>St. Helier</li> <li>St. John</li> <li>St. Martin</li> <li>St. Ouen</li> <li>Trinity</li> <li>St. Clement</li> <li>St. Lawrence</li> <li>St. Peter</li> <li>St. Saviour</li> </ul> <p>Part 17 of the Schedule is ordered as follows:</p> <ul style="list-style-type: none"> <li>St. Brelade</li> <li>St. Helier</li> <li>St. Clement</li> <li>St. Saviour</li> </ul> | <p>Part 4 of the Schedule will be reordered as follows:</p> <ul style="list-style-type: none"> <li>Grouville</li> <li>St. Brelade</li> <li>St. Clement</li> <li>St. Helier</li> <li>St. John</li> <li>St. Lawrence</li> <li>St. Martin</li> <li>St. Ouen</li> <li>St. Peter</li> <li>St. Saviour</li> <li>Trinity</li> </ul> <p>Part 17 of the Schedule will be reordered as follows:</p> <ul style="list-style-type: none"> <li>St. Brelade</li> <li>St. Clement</li> <li>St. Helier</li> <li>St. Saviour</li> </ul> |

## Part 3: Draft revision giving effect to proposed solutions

### Road Traffic (Public Parking Places) (Jersey) Order 2006

#### SCHEDULE 1

(Article 1(1))

#### PARKING PLACES

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>                                   | <i>Assigned letters and number of parking place</i> |
| PART 1  |   |
| <b>Grouville</b>  |   |
| Beach Road Car Park   | <b>GR1</b>  |
| Gorey Common Car Park   | <b>GR2</b>  |
| Gorey Village, car park in Coast Road lay-by  | <b>GR3</b>  |
| La Parcage, car park in La Rue Hilgrove, Gorey Village                                  | <b>GR4</b>  |
| La Rocque Harbour Car Park  | <b>GR5</b>  |
| Ville ès Renauds Car Park   | <b>GR6</b>  |
| Seymour Tower Car Park  | <b>GR7</b>  |
| PART 2  |   |
| <b>St. Brelade</b>  |   |
| Beauport Car Park   | <b>STB1</b>   |
| Blanches Banques East Car Park  | <b>STB2</b>   |
| Blanches Banques West Car Park  | <b>STB3</b>   |
| Le Cimetière Car Park   | <b>STB3A</b>  |
| Le Clos des Sables, car park between 122 Le Clos des Sables and 161 Les Quennevais Park | <b>STB3B</b>  |
| Corbière, car park near the lighthouse keepers' cottages, both sides of track           | <b>STB4</b>   |
| La Carrière Car Park  | <b>STB5</b>   |
| Les Creux Car Park  | <b>STB5A</b>  |
| Elephant Car Park   | <b>STB5B</b>  |
| Landslide Car Park  | <b>STB6</b>   |
| La Pulente, car park adjacent to sand dunes   | <b>STB7</b>   |
| La Pulente, car park near top of the slip   | <b>STB8</b>   |
| Le Boulevard, St. Aubin Car Park  | <b>STB9</b>   |
| Le Braye Car Park   | <b>STB10</b>  |
| Les Mielles Car Park  | <b>STB11</b>  |

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>   | <i>Assigned letters and number of parking place</i> |
| Midbay Car Park   | <b>STB12</b>  |
| Noirmont Car Park   | <b>STB14</b>  |
| Ouaisné Car Park  | <b>STB15</b>  |
| Parish Hall, car park at front  | <b>STB16</b>  |
| Parish Hall, car park at rear   | <b>STB17A</b>                                       |
| Parish Hall, car park at far rear   | <b>STB17B</b>                                       |
| Parish Hall, car park from a point starting 17 yards east of the slipway to a further point 32 yards in an easterly direction | <b>STB18</b>  |
| Pont Marquet Country Park Car Park  | <b>STB19</b>  |
| Portelet Hotel, part of car park leased to controlling body   | <b>STB20</b>  |
| Red Houses Car Park, lower level  | <b>STB21</b>  |
| Red Houses Car Park, upper level North  | <b>STB22</b>  |
| Red Houses Car Park, upper level South  | <b>STB22A</b>                                       |
| St. Brelade's Church, car park at top of slip   | <b>STB23</b>  |
| Tam's, St. Brelade's Bay Car Park   | <b>STB24</b>  |
| Woodford Car Park   | <b>STB25</b>  |
| Pont Marquet East Car Park  | <b>STB26</b>  |
| La Rosière Car Park, Corbière   | <b>STB27</b>  |
| Airport Playing Fields Car Park   | <b>STB28</b>  |
| Les Quennevais Sports Centre and Playing Fields Car Park  | <b>STB29</b>  |

### PART 3

#### **St. Clement**

|  |             |
|--|-------------|
| Green Island Car Park                    | <b>STC1</b> |
| La Mare Common Car Park                  | <b>STC2</b> |
| Le Hocq Car Park                         | <b>STC3</b> |
| Old Grève d'Azette Station site car park | <b>STC4</b> |
| Le Hocq Slip, car park at top            | <b>STC5</b> |
| FB Playing Fields Car Park               | <b>STC6</b> |

### PART 4

#### **St. Helier**

|   |              |
|---|--------------|
| Charles Street Car Park   | <b>STHA2</b> |
| D'Auvergne School Car Park  | <b>STHA3</b> |
| Elizabeth Lane Car Park   | <b>STH1</b>  |
| First Tower Car Park  | <b>STH5</b>  |
| Fort Regent Car Park, including access roads and south and east ditches within ramparts | <b>STH6</b>  |

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>                             | <i>Assigned letters and number of parking place</i> |
| Green Street Car Park   | <b>STH8</b>   |
| Inn on the Park Car Park  | <b>STH10</b>  |
| La Collette, car park on phase 1 reclamation land                                 | <b>STH11</b>  |
| La Plage Hotel, car park near hotel   | <b>STH12</b>  |
| La Route du Fort, Cleveland Road Car Park   | <b>STH13</b>  |
| Les Jardins Car Park  | <b>STH13A</b>                                       |
| Midvale Road Car Park   | <b>STH14</b>  |
| Minden Place Car Park   | <b>STH15</b>  |
| Nelson Street Car Park  | <b>STH16</b>  |
| Patriotic Street Car Park   | <b>STH19</b>  |
| People's Park Car Park  | <b>STH20</b>  |
| Pier Road Car Park Shopper Zone, levels 1 and 2                                   | <b>STH20A</b>                                       |
| Pier Road Car Park, levels 14 and 15  | <b>STH21</b>  |
| Pier Road Car Park (excluding Shopper Zone, levels 1 and 2, and levels 14 and 15) | <b>STH22</b>  |
| Snow Hill Car Park  | <b>STH24</b>  |
| South Hill, car park east of recreation area                                      | <b>STH25</b>  |
| Victoria Avenue, car park in lay-bys 1 – 4  | <b>STH26</b>  |
| Victoria Avenue, car park in lay-bys 5 and 6                                      | <b>STH26A</b>                                       |
| La Fregate Car Park   | <b>STH28</b>  |
| Springfield Stadium East Car Park   | <b>STH29</b>  |
| Springfield Stadium North Car Park  | <b>STH30</b>  |
| Springfield Stadium South Car Park  | <b>STH31</b>  |
| Val Plaisant Gyratory Car Park  | <b>STH32</b>  |

#### PART 5

#### **St. John**

|                                      |            |
|--------------------------------------|------------|
| La Route du Nord Car Park            | <b>SJ1</b> |
| Sorel Car Park                       | <b>SJ2</b> |
| St. John's Village Entrance Car Park | <b>SJ3</b> |
| La Rue des Buttes Car Park           | <b>SJ4</b> |

#### PART 6

#### **St. Lawrence**

|  |              |
|--|--------------|
| Bel Royal, Victoria House Car Park     | <b>STL1</b>  |
| La Perquage Car Park                   | <b>STL2</b>  |
| Millbrook, Coronation Gardens Car Park | <b>STL3</b>  |
| Moignard Liberation Garden Car Park    | <b>STL3A</b> |
| Victoria Avenue, car park in lay-by 7  | <b>STL4</b>  |

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>                                   | <i>Assigned letters and number of parking place</i> |
| <b>PART 7</b>   |   |
| <b>St. Martin</b>   |   |
| Archirondel, car park adjacent to the café  | <b>STMN1</b>  |
| Bel Val Car Park  | <b>STMN2</b>  |
| Gorey Harbour Slip, adjacent car park   | <b>STMN3</b>  |
| Gorey Hill, car park on the north side  | <b>STMN4</b>  |
| Gorey promenade, car park adjacent to and east of public gardens                        | <b>STMN5</b>  |
| Gorey Slip, car park adjacent to promenade north  | <b>STMN6</b>  |
| La Crête, car park adjacent to quarry   | <b>STMN7</b>  |
| La Rue de la Haye Car Park  | <b>STMN8</b>  |
| Pine Walk Car Park  | <b>STMN9</b>  |
| St. Catherine's Bay, car park near Martello Tower                                       | <b>STMN10</b>                                       |
| St. Catherine's Breakwater, car park at top of breakwater and adjacent to the sea walls | <b>STMN11</b>                                       |
| Welcome Inn, car park north-east of slipway   | <b>STMN12</b>                                       |
| St. Martin's Village Green Car Park   | <b>STMN13</b>                                       |
| <b>PART 8</b>   |   |
| <b>St. Ouen</b>   |   |
| Grève de Lecq, Martello Tower Car Park  | <b>STO1</b>   |
| Grève de Lecq, car park near the Old Harbour  | <b>STO2</b>   |
| Grosnez Car Park  | <b>STO3</b>   |
| Kemp Tower Car Park   | <b>STO4</b>   |
| La Pierre Butée Car Park  | <b>STO5</b>   |
| Les Laveurs Slipway Car Park  | <b>STO6</b>   |
| L'Etacq Car Park  | <b>STO7</b>   |
| Mont Huelin Quarry Car Park   | <b>STO8</b>   |
| Route du Marais and Route de Vinchelez junction Car Park                                | <b>STO9</b>   |
| Parish Church Car Park  | <b>STO10</b>  |
| Parish Hall Car Park – rear only  | <b>STO11</b>  |
| Parish Hall Car Park – front only   | <b>STO12</b>  |
| <b>PART 9</b>   |   |
| <b>St. Peter</b>  |   |
| Beaumont, Gunsite Car Park  | <b>STP1</b>   |
| Goose Green Car Park  | <b>STP2</b>   |
| Le Port Car Park  | <b>STP6</b>   |



| <i>Column 1</i>  | <i>Column 2</i>                                     |
|--|---|
| <i>Name, description or vicinity of parking place</i>                                    | <i>Assigned letters and number of parking place</i> |
| Sands Disco Car Park   | <b>STP3</b>   |
| St. Peter's Parish Hall Car Park   | <b>STP4</b>   |
| The unnamed road that runs between the Gunsite Slipway and La Route de la Haule Car Park | <b>STP5</b>   |

#### PART 10

#### **St. Saviour**

|  |              |
|--|--------------|
| Bagatelle Car Park                     | <b>STS1</b>  |
| Georgetown, La Route du Fort Car Park  | <b>STS2</b>  |
| Grainville Playing Field Car Park      | <b>STS3</b>  |
| Hautlieu School Car Park               | <b>STS4</b>  |
| Highlands College Upper Car Park       | <b>STS5</b>  |
| Highlands College Lower Car Park       | <b>STS6</b>  |
| Highlands College Access Road Car Park | <b>STS7</b>  |
| Langford Sports Centre Car Park        | <b>STS8</b>  |
| La Ruelle du Sacrement Car Park        | <b>STS8A</b> |
| Oakfield Sports Centre Car Park        | <b>STS9</b>  |
| Rue des Prés Trading Estate Car Park   | <b>STS10</b> |
| St. Saviour's Parish Hall Car Park     | <b>STS11</b> |

#### PART 11

#### **Trinity**

|   |           |
|---|-----------|
| Bouley Bay, car park near Water's Edge Hotel        | <b>T1</b> |
| Bechet ès Cats, La Rue des Platons Car Park         | <b>T2</b> |
| Jardin d'Olivet, Parc de la Petite Falaise Car Park | <b>T3</b> |
| Riley Field Car Park                                | <b>T4</b> |
| Trinity Parish Hall Car Park                        | <b>T5</b> |
| Trinity Youth Centre Car Park                       | <b>T6</b> |

## **SCHEDULE 2**

(Article 4)

### **MAXIMUM PARKING PERIODS**

#### PART 1

The maximum parking period in respect of the following parking places is a continuous period of 7 days.

#### **St. Brelade**

STB1, STB4, STB10, STB12, STB14, STB17B, STB22, STB24, STB25

**St. Helier**

STH1, STH5, STH8, STH10, STH11, STH12, STH13, STH13A, STH14, STH16, STH19, STH20, STH22

**St. John**

SJ2

**St. Martin**

STMN2, STMN7, STMN10, STMN11

**St. Ouen**

STO2, STO3

**Trinity**

T1

**PART 2**

The maximum parking period in respect of the following parking places is a total period of 3 hours in any continuous period of 24 hours.

**Grouville**

GR3

**St. Martin**

STMN8

**PART 3**

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place.

**St. Brelade**

STB19, STB26

**St. Helier**

STHA2, STH15, STH20A, STH21, STH24, STH25

**PART 4**

The maximum parking period in respect of the following parking places is a total period of 12 hours in any continuous period of 24 hours.

**Grouville**

GR2, GR5, GR6, GR7

**St. Brelade**

STB2, STB3, STB3B, STB5, STB5A, STB6, STB7, STB8, STB9, STB11, STB15, STB20, STB23, STB27

**St. Clement**

STC1, STC2, STC3, STC4, STC5

**St. Helier**

STHA3, STH26, STH26A

**St. John**

SJ1

**St. Lawrence**

STL1, STL2, STL4

**St. Martin**

STMN1, STMN4, STMN9, STMN12, STMN13

**St. Ouen**

STO1, STO4, STO5, STO7, STO8

**St. Peter**

STP2, STP3, STP6

**St. Saviour**

STS4, STS5, STS6, STS7, STS10

**Trinity**

T2, T3, T4, T5, T6

**PART 5**

The maximum parking period in respect of the following parking places is 4 hours during any one visit to the parking place.

**St. Lawrence**

STL3

**St. Peter**

STP1, STP5

**PART 6**

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day except Sunday is a total period of 1 hour. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**Grouville**

GR1, GR4

**St. Brelade**

STB21, STB22A

**St. Ouen**

STO9

**St. Saviour**

STS1, STS2

**PART 7**

The maximum parking period in respect of the following parking places between 8 a.m. and 5.30 p.m. on any day except Sunday is a total period of 2 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Brelade**

STB16, STB17A, STB18

**PART 8**

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place. A valid parking disc must be displayed on the vehicle during the period when it is parked there to the extent that that period falls between 8 a.m. and 5 p.m. on any day except Sunday.

**St. Brelade**

STB5B

**St. Peter**

STP4

**PART 9**

The maximum parking period in respect of the following parking places between 8 a.m. and 10 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Martin**

STMN3, STMN5, STMN6

**PART 9A**

The maximum parking period in respect of the following parking places between 8 a.m. and 8 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Lawrence**

STL3A

**PART 10**

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**No parking places**

**PART 11**

The maximum parking period in respect of the following parking places on any day is a total period of 3 hours. A valid parking disc and a disabled person's badge must be displayed on the vehicle during the period when it is parked there.

**St. Helier**

STH28

**PART 12**

The maximum parking period on Saturday in respect of the following parking places is 4 hours during any one visit. The maximum parking period from Sunday to Friday inclusive is a continuous period of 6 days.

**No parking places**

**PART 13**

The maximum parking period in respect of the following parking places is a total period of 3 hours in any continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Brelade**

STB3A

**St. Helier**

STH29, STH30, STH31

**St. Saviour**

STS8A, STS11

**PART 14**

The maximum parking period in respect of any of the following parking places on any day is a total period of 8 hours in any continuous period of 24 hours.

**St. Ouen**

STO10

**PART 15**

The maximum parking period in respect of the following parking places between 9 a.m. and 5 p.m. on any day is 6 hours during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

**St. Ouen**

STO11

**PART 16**

The maximum parking period in respect of the following parking places on any day is one hour during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

**St. Ouen**

STO12

**PART 17**

The maximum parking period in respect of any of the following parking places on any day except Saturday and Sunday is a total period of 3 hours in any continuous period of 24 hours and on Saturday and Sunday is a total period of 8 hours in a continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Brelade**

STB28, STB29

**St. Clement**

STC6

**St. Helier**

STH6

**St. Saviour**

STS3

**PART 18**

The maximum parking period in respect of the following parking places between 5.00 p.m. and 8.00 a.m. on any day during school term time, and on any day that is not during school term time, is 3 hours in any continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle must not be parked there between 8.00 a.m. and 5.00 p.m. on any school day during term time unless a valid permit is displayed on the vehicle during the period when it is parked there.

**St. Saviour**

STS8, STS9

#### PART 19

The maximum parking period in respect of the following parking place between 6 a.m. and 10 p.m. on any day is 2 hours during any one visit. A valid parking disc and a valid permit must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

**St. Helier**

STH32

#### PART 20

The maximum parking period in respect of the following parking place between 8 a.m. and 6 p.m. on any day is 20 minutes during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. John**

SJ3

#### PART 21

The maximum parking period in respect of the following parking place on any day is 5 hours during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. John**

SJ4

## Part 4: Appendix showing the current law for comparison

### SCHEDULE 1

(Article 1(1))

#### PARKING PLACES

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>                                   | <i>Assigned letters and number of parking place</i> |
| PART 1  |   |
| <b>Grouville</b>  |   |
| Beach Road Car Park   | <b>GR1</b>  |
| Gorey Common Car Park   | <b>GR2</b>  |
| Gorey Village, car park in Coast Road lay-by  | <b>GR3</b>  |
| La Parcage, car park in La Rue Hilgrove, Gorey Village                                  | <b>GR4</b>  |
| La Rocque Harbour Car Park  | <b>GR5</b>  |
| Ville ès Renauds Car Park   | <b>GR6</b>  |
| Seymour Tower Car Park  | <b>GR7</b>  |
| PART 2  |   |
| <b>St. Brelade</b>  |   |
| Beauport Car Park   | <b>STB1</b>   |
| Blanches Banques East Car Park  | <b>STB2</b>   |
| Blanches Banques West Car Park  | <b>STB3</b>   |
| Le Cimetière Car Park   | <b>STB3A</b>  |
| Le Clos des Sables, car park between 122 Le Clos des Sables and 161 Les Quennevais Park | <b>STB3B</b>  |
| Corbière, car park near the lighthouse keepers' cottages, both sides of track           | <b>STB4</b>   |
| La Carrière Car Park  | <b>STB5</b>   |
| Les Creux Car Park  | <b>STB5A</b>  |
| Elephant Car Park   | <b>STB5B</b>  |
| Landslide Car Park  | <b>STB6</b>   |
| La Pulente, car park adjacent to sand dunes   | <b>STB7</b>   |
| La Pulente, car park near top of the slip   | <b>STB8</b>   |
| Le Boulevard, St. Aubin Car Park  | <b>STB9</b>   |
| Le Braye Car Park   | <b>STB10</b>  |
| Les Mielles Car Park  | <b>STB11</b>  |
| Midbay Car Park   | <b>STB12</b>  |
| Noirmont Car Park   | <b>STB14</b>  |

| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>   | <i>Assigned letters and number of parking place</i> |
| Ouaisné Car Park  | <b>STB15</b>  |
| Parish Hall, car park at front  | <b>STB16</b>  |
| Parish Hall, car park at rear   | <b>STB17A</b>                                       |
| Parish Hall, car park at far rear   | <b>STB17B</b>                                       |
| Parish Hall, car park from a point starting 17 yards east of the slipway to a further point 32 yards in an easterly direction | <b>STB18</b>  |
| Pont Marquet Country Park Car Park  | <b>STB19</b>  |
| Portelet Hotel, part of car park leased to controlling body   | <b>STB20</b>  |
| Red Houses Car Park, lower level  | <b>STB21</b>  |
| Red Houses Car Park, upper level North  | <b>STB22</b>  |
| Red Houses Car Park, upper level South  | <b>STB22A</b>                                       |
| St. Brelade's Church, car park at top of slip   | <b>STB23</b>  |
| Tam's, St. Brelade's Bay Car Park   | <b>STB24</b>  |
| Woodford Car Park   | <b>STB25</b>  |
| Pont Marquet East Car Park  | <b>STB26</b>  |
| La Rosière Car Park, Corbière   | <b>STB27</b>  |
| Airport Playing Fields Car Park   | <b>STB28</b>  |
| Les Quennevais Sports Centre and Playing Fields Car Park  | <b>STB29</b>  |

### PART 3

#### **St. Helier**

|   |               |
|---|---------------|
| Charles Street Car Park   | <b>STHA2</b>  |
| D'Auvergne School Car Park  | <b>STHA3</b>  |
| Elizabeth Lane Car Park   | <b>STH1</b>   |
| First Tower Car Park  | <b>STH5</b>   |
| Fort Regent Car Park, including access roads and south and east ditches within ramparts | <b>STH6</b>   |
| Green Street Car Park   | <b>STH8</b>   |
| Inn on the Park Car Park  | <b>STH10</b>  |
| La Collette, car park on phase 1 reclamation land                                       | <b>STH11</b>  |
| La Plage Hotel, car park near hotel   | <b>STH12</b>  |
| La Route du Fort, Cleveland Road Car Park   | <b>STH13</b>  |
| Les Jardins Car Park  | <b>STH13A</b> |
| Midvale Road Car Park   | <b>STH14</b>  |
| Minden Place Car Park   | <b>STH15</b>  |
| Nelson Street Car Park  | <b>STH16</b>  |
| Patriotic Street Car Park   | <b>STH19</b>  |
| People's Park Car Park  | <b>STH20</b>  |



| <i>Column 1</i>   | <i>Column 2</i>                                     |
|---|---|
| <i>Name, description or vicinity of parking place</i>                             | <i>Assigned letters and number of parking place</i> |
| Pier Road Car Park Shopper Zone, levels 1 and 2                                   | <b>STH20A</b>                                       |
| Pier Road Car Park, levels 14 and 15  | <b>STH21</b>  |
| Pier Road Car Park (excluding Shopper Zone, levels 1 and 2, and levels 14 and 15) | <b>STH22</b>  |
| Snow Hill Car Park  | <b>STH24</b>  |
| South Hill, car park east of recreation area                                      | <b>STH25</b>  |
| Victoria Avenue, car park in lay-bys 1 – 4  | <b>STH26</b>  |
| Victoria Avenue, car park in lay-bys 5 and 6                                      | <b>STH26A</b>                                       |
| La Fregate Car Park   | <b>STH28</b>  |
| Springfield Stadium East Car Park   | <b>STH29</b>  |
| Springfield Stadium North Car Park  | <b>STH30</b>  |
| Springfield Stadium South Car Park  | <b>STH31</b>  |
| Val Plaisant Gyrotory Car Park  | <b>STH32</b>  |

#### PART 4

##### **St. John**

|                                      |            |
|--------------------------------------|------------|
| La Route du Nord Car Park            | <b>SJ1</b> |
| Sorel Car Park                       | <b>SJ2</b> |
| St. John's Village Entrance Car Park | <b>SJ3</b> |
| La Rue des Buttes Car Park           | <b>SJ4</b> |

#### PART 5

##### **St. Martin**

|   |               |
|---|---------------|
| Archirondel, car park adjacent to the café  | <b>STMN1</b>  |
| Bel Val Car Park  | <b>STMN2</b>  |
| Gorey Harbour Slip, adjacent car park   | <b>STMN3</b>  |
| Gorey Hill, car park on the north side  | <b>STMN4</b>  |
| Gorey promenade, car park adjacent to and east of public gardens                        | <b>STMN5</b>  |
| Gorey Slip, car park adjacent to promenade north  | <b>STMN6</b>  |
| La Crête, car park adjacent to quarry   | <b>STMN7</b>  |
| La Rue de la Haye Car Park  | <b>STMN8</b>  |
| Pine Walk Car Park  | <b>STMN9</b>  |
| St. Catherine's Bay, car park near Martello Tower                                       | <b>STMN10</b> |
| St. Catherine's Breakwater, car park at top of breakwater and adjacent to the sea walls | <b>STMN11</b> |
| Welcome Inn, car park north-east of slipway   | <b>STMN12</b> |
| St. Martin's Village Green Car Park   | <b>STMN13</b> |

| <i>Column 1</i>  | <i>Column 2</i>                                     |
|--|---|
| <i>Name, description or vicinity of parking place</i>    | <i>Assigned letters and number of parking place</i> |
| <b>PART 6</b>  |   |
| <b>St. Ouen</b>  |   |
| Grève de Lecq, Martello Tower Car Park                   | <b>STO1</b>   |
| Grève de Lecq, car park near the Old Harbour             | <b>STO2</b>   |
| Grosnez Car Park   | <b>STO3</b>   |
| Kemp Tower Car Park                                      | <b>STO4</b>   |
| La Pierre Butée Car Park                                 | <b>STO5</b>   |
| Les Laveurs Slipway Car Park                             | <b>STO6</b>   |
| L'Etacq Car Park   | <b>STO7</b>   |
| Mont Huelin Quarry Car Park                              | <b>STO8</b>   |
| Route du Marais and Route de Vinchelez junction Car Park | <b>STO9</b>   |
| Parish Church Car Park                                   | <b>STO10</b>  |
| Parish Hall Car Park – rear only                         | <b>STO11</b>  |
| Parish Hall Car Park – front only                        | <b>STO12</b>  |
| <b>PART 7</b>  |   |
| <b>Trinity</b>   |   |
| Bouley Bay, car park near Water's Edge Hotel             | <b>T1</b>   |
| Bechet ès Cats, La Rue des Platons Car Park              | <b>T2</b>   |
| Jardin d'Olivet, Parc de la Petite Falaise Car Park      | <b>T3</b>   |
| Riley Field Car Park                                     | <b>T4</b>   |
| Trinity Parish Hall Car Park                             | <b>T5</b>   |
| Trinity Youth Centre Car Park                            | <b>T6</b>   |
| <b>PART 8</b>  |   |
| <b>St. Clement</b>                                       |   |
| Green Island Car Park                                    | <b>STC1</b>   |
| La Mare Common Car Park                                  | <b>STC2</b>   |
| Le Hocq Car Park   | <b>STC3</b>   |
| Old Grève d'Azette Station site car park                 | <b>STC4</b>   |
| Le Hocq Slip, car park at top                            | <b>STC 5</b>  |
| FB Playing Fields Car Park                               | <b>STC6</b>   |
| <b>PART 9</b>  |   |
| <b>St. Lawrence</b>                                      |   |
| Bel Royal, Victoria House Car Park                       | <b>STL1</b>   |
| La Perquage Car Park                                     | <b>STL2</b>   |

| <i>Column 1</i>  | <i>Column 2</i>                                     |
|--|---|
| <i>Name, description or vicinity of parking place</i>                                    | <i>Assigned letters and number of parking place</i> |
| Millbrook, Coronation Gardens Car Park   | <b>STL3</b>   |
| Moignard Liberation Garden Car Park  | <b>STL3A</b>  |
| Victoria Avenue, car park in lay-by 7  | <b>STL4</b>   |
| <b>PART 10</b>   |   |
| <b>St. Peter</b>   |   |
| Beaumont, Gunsite Car Park   | <b>STP1</b>   |
| Goose Green Car Park   | <b>STP2</b>   |
| Le Port Car Park   | <b>STP6</b>   |
| Sands Disco Car Park   | <b>STP3</b>   |
| St. Peter's Parish Hall Car Park   | <b>STP4</b>   |
| The unnamed road that runs between the Gunsite Slipway and La Route de la Haule Car Park | <b>STP5</b>   |
| <b>PART 11</b>   |   |
| <b>St. Saviour</b>   |   |
| Bagatelle Car Park   | <b>STS1</b>   |
| Georgetown, La Route du Fort Car Park  | <b>STS2</b>   |
| Grainville Playing Field Car Park  | <b>STS3</b>   |
| Hautlieu School Car Park   | <b>STS4</b>   |
| Highlands College Upper Car Park   | <b>STS5</b>   |
| Highlands College Lower Car Park   | <b>STS6</b>   |
| Highlands College Access Road Car Park   | <b>STS7</b>   |
| Langford Sports Centre Car Park  | <b>STS8</b>   |
| La Ruelle du Sacrement Car Park  | <b>STS8A</b>  |
| Oakfield Sports Centre Car Park  | <b>STS9</b>   |
| Rue des Prés Trading Estate Car Park   | <b>STS10</b>  |
| St. Saviour's Parish Hall Car Park   | <b>STS11</b>  |

## **SCHEDULE 2**

(Article 4)

### **MAXIMUM PARKING PERIODS**

#### **PART 1**

The maximum parking period in respect of the following parking places is a continuous period of 7 days.

**St. Brelade**

STB1, STB4, STB10, STB12, STB14, STB17B, STB22, STB24, STB25

**St. Helier**

STH1, STH5, STH8, STH10, STH11, STH12, STH13, STH13A, STH14, STH16, STH19, STH20, STH22

**St. John**

SJ2

**St. Martin**

STMN2, STMN7, STMN10, STMN11

**St. Ouen**

STO2, STO3

**Trinity**

T1

#### **PART 2**

The maximum parking period in respect of the following parking places is a total period of 3 hours in any continuous period of 24 hours.

**Grouville**

GR3

**St. Martin**

STMN8

#### **PART 3**

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place.

**St. Brelade**

STB19, STB26

**St. Helier**

STHA2, STH15, STH20A, STH21, STH24, STH25

#### **PART 4**

The maximum parking period in respect of the following parking places is a total period of 12 hours in any continuous period of 24 hours.

**Grouville**

GR2, GR5, GR6, GR7

**St. Brelade**

STB2, STB3, STB3B, STB5, STB5A, STB6, STB7, STB8, STB9, STB11, STB15, STB20, STB23, STB27

**St. Helier**

STHA3, STH26, STH26A

**St. John**

SJ1

**St. Martin**

STMN1, STMN4, STMN9, STMN12, STMN13

**St. Ouen**

STO1, STO4, STO5, STO7, STO8

**Trinity**

T2, T3, T4, T5, T6

**St. Clement**

STC1, STC2, STC3, STC4, STC5

**St. Lawrence**

STL1, STL2, STL4

**St. Peter**

STP2, STP3, STP6

**St. Saviour**

STS4, STS5, STS6, STS7, STS10

**PART 5**

The maximum parking period in respect of the following parking places is 4 hours during any one visit to the parking place.

**St. Lawrence**

STL3

**St. Peter**

STP1, STP5

**PART 6**

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day except Sunday is a total period of 1 hour. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**Grouville**

GR1, GR4

**St. Brelade**

STB21, STB22A

**St. Ouen**

STO9

**St. Saviour**

STS1, STS2

#### PART 7

The maximum parking period in respect of the following parking places between 8 a.m. and 5.30 p.m. on any day except Sunday is a total period of 2 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Brelade**

STB16, STB17A, STB18

#### PART 8

The maximum parking period in respect of the following parking places is 3 hours during any one visit to the parking place. A valid parking disc must be displayed on the vehicle during the period when it is parked there to the extent that that period falls between 8 a.m. and 5 p.m. on any day except Sunday.

**St. Brelade**

STB5B

**St. Peter**

STP4

#### PART 9

The maximum parking period in respect of the following parking places between 8 a.m. and 10 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Martin**

STMN3, STMN5, STMN6

#### PART 9A

The maximum parking period in respect of the following parking places between 8 a.m. and 8 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. Lawrence**

STL3A

#### PART 10

The maximum parking period in respect of the following parking places between 8 a.m. and 6 p.m. on any day is a total period of 3 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**No parking places**

#### PART 11

The maximum parking period in respect of the following parking places on any day is a total period of 3 hours. A valid parking disc and a disabled person's badge must be displayed on the vehicle during the period when it is parked there.

**St. Helier**

STH28

## PART 12

The maximum parking period on Saturday in respect of the following parking places is 4 hours during any one visit. The maximum parking period from Sunday to Friday inclusive is a continuous period of 6 days.

### **No parking places**

## PART 13

The maximum parking period in respect of the following parking places is a total period of 3 hours in any continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

### **St. Brelade**

STB3A

### **St. Helier**

STH29, STH30, STH31

### **St. Saviour**

STS8A, STS11

## PART 14

The maximum parking period in respect of any of the following parking places on any day is a total period of 8 hours in any continuous period of 24 hours.

### **St. Ouen**

STO10

## PART 15

The maximum parking period in respect of the following parking places between 9 a.m. and 5 p.m. on any day is 6 hours during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

### **St. Ouen**

STO11

## PART 16

The maximum parking period in respect of the following parking places on any day is one hour during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

### **St. Ouen**

STO12

## PART 17

The maximum parking period in respect of any of the following parking places on any day except Saturday and Sunday is a total period of 3 hours in any continuous period of 24 hours and on Saturday and Sunday is a total period of 8 hours in a continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

### **St. Brelade**

STB28, STB29

**St. Helier**

STH6

**St. Clement**

STC6

**St. Saviour**

STS3

**PART 18**

The maximum parking period in respect of the following parking places between 5.00 p.m. and 8.00 a.m. on any day during school term time, and on any day that is not during school term time, is 3 hours in any continuous period of 24 hours. A valid parking disc must be displayed on the vehicle during the period when it is parked there. A vehicle must not be parked there between 8.00 a.m. and 5.00 p.m. on any school day during term time unless a valid permit is displayed on the vehicle during the period when it is parked there.

**St. Saviour**

STS8, STS9

**PART 19**

The maximum parking period in respect of the following parking place between 6 a.m. and 10 p.m. on any day is 2 hours during any one visit. A valid parking disc and a valid permit must be displayed on the vehicle during the period when it is parked there. A vehicle cannot be parked in the parking place less than one hour after the end of its last visit.

**St. Helier**

STH32

**PART 20**

The maximum parking period in respect of the following parking place between 8 a.m. and 6 p.m. on any day is 20 minutes during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. John**

SJ3

**PART 21**

The maximum parking period in respect of the following parking place on any day is 5 hours during any one visit. A valid parking disc must be displayed on the vehicle during the period when it is parked there.

**St. John**

SJ4



# Law Revision Board item 2025/2: correcting Article heading in Dormant Bank Accounts (Jersey) Law 2017

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 2 to 3) contains the draft revision.

## Part 1: Background

### The issue

Article 23 of the Dormant Bank Accounts (Jersey) Law 2017 provides Order-making powers for the Minister and Regulation-making powers for the States in relation to matters related to the Law. However, the heading to Article 23 is "Orders" – it does not mention Regulations. This could cause difficulties for a user of the legislation who is trying to locate provisions relating to Regulations.

### The proposed solution

We propose to replace the heading to Article 23 so that it becomes "Orders and Regulations".

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the "Legislation Law") allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (e): "to add a heading to a provision of any legislation that does not have one and alter any heading to a provision or part of any legislation".

## Part 2: Table of proposed solutions

| Title of legislation                    | Article etc | Current text | Revised text           |
|---|-------------|--------------|------------------------|
| Dormant Bank Accounts (Jersey) Law 2017 | Article 23  | Orders       | Orders and Regulations |

## Part 3: Draft revision giving effect to proposed solutions

### Dormant Bank Accounts (Jersey) Law 2017

#### 23 Orders and Regulations~~Orders~~

- (1) The Minister may make Orders relating to any matter required or permitted by this Law to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Law.
- (2) In particular the Orders may make provision for or with respect to any of the following –
  - (a) amending any expression of time (whether numerical or otherwise) in this Law;
  - (b) notices to be given under this Law;
  - (c) procedures, requirements, and other matters, that relate to such notices, including how notice is to be given, the matters in respect of which notices are required and the form or contents of, or information to be included in, the notices;
  - (d) forms in general for the purposes of this Law;
  - (e) returns and reports, to be furnished by banks to the Minister for the purposes of this Law;
  - (f) the circumstances in which a bank is not to transfer, to the Fund, part or all of a balance on a dormant account;
  - (g) for fees to be charged in prescribed circumstances for the benefit of the Fund for processing a claim for repayment to a former account holder whose dormant account has been transferred to the Fund;
  - (h) the administration of this Law;
  - (i) procedures, requirements, and other matters, in respect of the operation of this Law.
- (3) The States may by Regulations make provision for the following matters –
  - (a) the performance of the functions of a bank under this Law in the case where the bank has become bankrupt, has transferred any part of its deposit-taking business or has ceased to trade;
  - (b) the rights and priorities of holders of dormant accounts, and of other persons with interests in those accounts, in the case where the bank has become bankrupt, has transferred any part of its deposit-taking business or has ceased to trade;
  - (c) the appointment or constitution, and functions under this Law, of a person who may perform the functions of the relevant bank under this Law in a case referred to in sub-paragraph (g) or (h);
  - (d) the remuneration or funding of such a person in such a case, including remuneration or funding from the bankrupt estate of the bank or from the bank's assets or former assets or from the Fund;
  - (e) making provision for priority in such a case as between such a person and creditors of the relevant bank;

- (f) subject to the Public Finances (Jersey) Law 2019 and any enactment made under that Law, the structure and operation of the Fund.
- (4) Orders and Regulations may create an offence punishable by a fine of level 3 on the standard scale.
- (5) Orders and Regulations may contain such transitional, consequential, incidental or supplementary provisions, or such savings, as appear to the Minister to be necessary or expedient for the purposes of the Order.
- (6) A reference in this Article to procedures does not include the procedure of any court.

# Law Revision Board item 2025/3: replacing references to an Order in Council with its current short title

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 3 to 5) contains the draft revision.

## Part 1: Background

### The issue

The Loi (1851) autorisant l'établissement des règlements sur la police des chemins (the "Loi") was made by Her late Majesty Queen Victoria through Her Privy Council. The Loi allows Jersey to make provision about the policing of the public roads by Regulations, without requiring the Privy Council to sanction primary legislation. Historically, the Loi was referred to in Jersey legislation as "Ordre du Conseil confirmant certain Acte des États en date du 5 novembre 1851, lequel sollicite l'autorisation d'établir des Règlements sur la Police des Chemins sans recourir à la Sanction Royale." The Statute Law Revision (No. 3) (Jersey) Law 1966 introduced the "new" short title that the Loi is known by today.

Unfortunately, inconsistency has crept into the way the Loi is referred to in more modern legislation, with several instances of it being referred to as an Order in Council and the date on which the Order was made.

### The proposed solution

We propose to replace all references in Jersey legislation to "the Order in Council of 26th December 1851" (and its variants) with the correct short title of the Loi.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the "Legislation Law") allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (l): "to alter any words to secure uniformity of expression in any legislation"; and clause (q): "to do all other things that appear to the Board to be necessary to render revised legislation consistent with current drafting practice".

## Part 2: Table of proposed solutions

| <b>Title of legislation</b>   | <b>Article etc</b> | <b>Current text</b>                               | <b>Revised text</b>  |
|---|--------------------|---|--|
| Highways (Jersey) Law 1956  | Article 8A         | Order in Council of 26th December 1851            | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Motor Traffic (Jersey) Law 1935   | Article 46(6)      | Order in Council of the 26th December, 1851       | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Policing of Beaches (Jersey) Regulations 1959                                     | Enacting statement | Order in Council of the 26 December 1851          | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Policing of Parks (Jersey) Regulations 2005                                       | Enacting statement | Order in Council of 26th December 1851            | the Loi (1851) autorisant l'établissement des règlements sur la police des chemins |
| Policing of Roads (Jersey) Regulations 1959                                       | Enacting statement | Order in Council of 26th December 1851            | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957 | 1(1)               | Order in Council of 26th December 1851            | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957 | 1(1)               | the said Order in Council                         | that Loi   |
| Road Traffic (Jersey) Law 1956  | Article 92(1)      | Order in Council of the 26th day of December 1851 | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |
| Road Traffic (Jersey) Law 1956  | Article 92(2)      | said Order in Council                             | Loi (1851) autorisant l'établissement des règlements sur la police des chemins     |

## Part 3: Draft revision giving effect to proposed solutions

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### Highways (Jersey) Law 1956

#### 8A Amendment by Regulations

The powers conferred on the States by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of 26th December 1851~~ to make Regulations relating to the police of the public roads include a power to amend the provisions of this Law.

### Motor Traffic (Jersey) Law 1935

#### 46 Regulations and Orders

- (1) The Minister may by Order make provision for the purpose of carrying this Law into effect and, in particular, for or with respect to any matter that may be prescribed under this Law by Order of the Minister.
- (2) The States may by Regulations make provision for the purpose of carrying this Law into effect and, in particular, for or with respect to any matter that may be prescribed under this Law by Regulations.
- (3) An Order or Regulations made under this Law may –
  - (a) make different provision in relation to different cases or circumstances;
  - (b) apply in respect of particular persons or particular cases or particular classes of persons or particular classes of cases, and define a class by reference to any circumstances whatsoever; or
  - (c) contain such transitional, consequential, incidental or supplementary provisions as appear to the Minister making the Order or the States, as the case may be, to be necessary or expedient for the purposes of the Order or Regulations.
- (4) Regulations and Orders made under this Law may create an offence punishable by a fine up to level 3 on the standard scale.
- (5)

- (6) The powers conferred on the States by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of the 26th December, 1851~~, to make Regulations relating to the police of the public roads, include a power to amend any of the provisions of this Law.

## **Policing of Beaches (Jersey) Regulations 1959**

**THE STATES**, in pursuance of the powers conferred upon them by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of the 26 December 1851~~, Article 92 of the Road Traffic (Jersey) Law 1956, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957, have made the following Regulations –

## **Policing of Parks (Jersey) Regulations 2005**

**THE STATES**, in exercise of the powers conferred on them by [the Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of 26th December 1851~~, Article 92 of the Road Traffic (Jersey) Law 1956 and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957, have made the following Regulations –

## **Policing of Roads (Jersey) Regulations 1959**

**THE STATES**, in pursuance of the powers conferred upon them by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of 26th December 1851~~, Article 92 of the Road Traffic (Jersey) Law 1956, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957, have made the following Regulations –

## **Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957**

### **1**

- (1) Subject as hereinafter provided, Regulations made by the States in exercise of the powers conferred upon them by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of 26th December 1851~~, or by [that Loi](#) ~~the said Order in Council~~ and by Article 92 of the Road Traffic (Jersey) Law 1956 (hereinafter referred to as the “relevant powers”), may include provisions –
- (a) awarding the fine imposed for any offence against the Regulations for the benefit of the parish in which the offence was committed;

- (b) directing the purpose to which fines so awarded shall be applied.
- (2) Where a person –
  - (a) is charged with an offence under Regulations made under the relevant powers; and
  - (b) accepts the decision of a Centenier having jurisdiction in the matter,
 that Centenier may inflict and levy summarily a fine of level 1 on the standard scale.
- (3) Where any fine is levied by a Centenier in exercise of powers conferred upon the Centenier by virtue of this Article, the Centenier shall give a receipt for the same.

## Road Traffic (Jersey) Law 1956

### 92 Power of States to make Regulations

- (1) Nothing in this Law shall be construed as derogating in any way from the powers conferred on the States by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~Order in Council of the 26th day of December 1851~~, to make Regulations relating to the police of the public roads, and the powers so conferred may be exercised in relation to any park or other public place or any sea beach.
- (2) The powers conferred on the States by the [Loi \(1851\) autorisant l'établissement des règlements sur la police des chemins](#) ~~said Order in Council~~ and this Article include a power to amend any of the provisions of this Law.



# Law Revision Board item 2025/4: correcting cross-references to the Income Tax (Jersey) Law 1961

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 2 to 4) contains the draft revision.

## Part 1: Background

### The issue

We have found 3 references in the statute book to Article 115(ab) of the Income Tax (Jersey) Law 1961. Article 115(ab) no longer exists – it was deleted by the Finance (2019 Budget) (Jersey) Law 2019.

Article 115 of the Income Tax Law provides miscellaneous exemptions from income tax. Before its deletion, Article 115(ab) applied to Guernsey charities, while Article 115(aa) applied to UK charities. When Article 115(ab) was deleted, Article 115(aa) was amended to apply to “excepted foreign charities”, which catches both UK and Guernsey charities, as well as charities from other jurisdictions.

When Article 115 was amended, the consequential changes to other parts of the statute book were not addressed, meaning that old references to the deleted clause still exist.

### The proposed solution

We propose to delete references in Article 115(ab). In each case, the reference also refers to Article 115(aa), which is the provision that now serves the function of the old Article 115(ab).

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the “Legislation Law”) allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (k): “to delete any obsolete or redundant words or provisions”, and clause (p): “to substitute for a reference to any legislation or provision of any legislation that has been re-enacted or replaced, whether with or without modifications, a reference to the legislation or provision re-enacting or replacing it”.

## Part 2: Table of proposed solutions

| Title of legislation   | Article etc                        | Current text                 | Revised text           |
|--|------------------------------------|------------------------------|------------------------|
| Banking Business (Depositors Compensation) (Jersey) Regulations 2009 | Regulation 1, definition “charity” | Article 115(a), (aa) or (ab) | Article 115(a) or (aa) |
| Financial Services Ombudsman (Exempt Business) (Jersey) Order 2014   | Article 5(2)(c)(ii)                | Article 115(a), (aa) or (ab) | Article 115(a) or (aa) |
| Gambling (Jersey) Law 2012   | Article 25(4)                      | Article 115(a), (aa) or (ab) | Article 115(a) or (aa) |

## Part 3: Draft revision giving effect to proposed solutions

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| <i>Gambling (Jersey) Law 2012</i>   | 3 |

## Banking Business (Depositors Compensation) (Jersey) Regulations 2009

### 1 Interpretation

In these Regulations, unless the context otherwise requires –

...

“Board” means the Jersey Bank Depositors Compensation Board established by Regulation 8;

“charity” means a corporation, association or trust, the income from the property of which is exempt from income tax by virtue of [Article 115\(a\) or \(aa\)](#) ~~Article 115(a), (aa) or (ab)~~ of the Income Tax (Jersey) Law 1961;

“child”, in respect of an eligible depositor, means a person who has not attained the age of 18;

...

## Financial Services Ombudsman (Exempt Business) (Jersey) Order 2014

### 5 Exempt debt advice business

(1) Relevant credit business is exempt business if –

(a) it does not fall within any of sub-paragraphs (a) to (i) of Article 2(2); and

- (b) it is relevant debt advice business.
- (2) Business is relevant debt advice business if –
  - (a) it constitutes –
    - (i) debt-counselling, as defined by paragraph 6 of Schedule 4 to the Law, or
    - (ii) debt-adjusting that falls within paragraph 5(a) of that Schedule, or within paragraph 5(c) of that Schedule in relation to paragraph 5(a);
  - (b) the person carrying it on does not, in connection with the business or in relation to the complainant –
    - (i) carry on any business falling within paragraph 1(a) of Schedule 4 to the Law, or
    - (ii) carry on any business that is relevant ancillary business, by virtue of Article 9(2)(b) of the Law, in respect of which the main business falls within paragraph 1(a) of Schedule 4 to the Law; and
  - (c) it is carried on –
    - (i) without any charge or fee, and in such a manner that no income is derived from it, or
    - (ii) by a person whose income is exempt from income tax under [Article 115\(a\) or \(aa\)](#) ~~Article 115(a), (aa) or (ab)~~ of the Income Tax (Jersey) Law 1961, or
    - (iii) by a person whose principal business does not fall within any of subparagraphs (a) to (e), (h) and (i) of Article 9(1) of the Law, as wholly incidental to that principal business.

## Gambling (Jersey) Law 2012

### 25 Interpretation: charitable and membership gambling

- (1) For the purposes of this Law a charitable gambling service is a gambling service that –
  - (a) is provided for the purpose of raising funds for a charity; and
  - (b) is not provided by a commercial operator.
- (2) For the purposes of this Law a membership gambling service is a gambling service that –
  - (a) is provided –
    - (i) by a group of persons all of whom are natural persons, or
    - (ii) on behalf of such a group by a member of the group;
  - (b) is provided to members of that group and to no other person;
  - (c) is not provided with a view to the profit of any person other than the members of that group; and
  - (d) is not provided in relation to commercial gambling; and
  - (e) is not a charitable gambling service.
- (3) The States may by Regulations designate as a charitable or membership gambling service for the purposes of this Law a type of service that –
  - (a) is related to gambling;
  - (b) is not provided by way of business;
  - (c) is provided at a social event or mainly for a charitable, sporting, cultural or other purpose that is neither a purpose of private gain nor of any commercial undertaking;

- (d) is not a public lottery for the purpose of Article 27; and
  - (e) does not fall within paragraph (1) or (2).
- (4) In this Article “charity” means a corporation, association, trust or non-profit organization referred to in [Article 115\(a\) or \(aa\)](#)~~Article 115(a), (aa) or (ab)~~ of the Income Tax (Jersey) Law 1961.

# Law Revision Board item 2025/5: updating references to repealed legislation

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 2 to 3) contains the draft revision.

## Part 1: Background

### The issue

The Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 refers to the Diseases of Animals (Jersey) Law 1956 in several places. However, that Law is no longer in force – it was repealed and replaced by the Animal Health (Jersey) Law 2016.

This does not present a problem from a legal perspective as Article 6 of the Legislation (Jersey) Law 2021 (the “Legislation Law”) states:

#### **6 Effect of repeal and re-enactment of Jersey legislation**

If any Jersey legislation (whenever made) repeals any Jersey legislation and re-enacts any of its provisions, with or without modification, references in any other Jersey legislation to the provisions so repealed, unless provision is made to the contrary, are construed as references to the provisions so re-enacted.

However, users may face the problem of not knowing which legislation replaced the repealed legislation, and it makes the Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 unnecessarily difficult to use.

### The proposed solution

We propose to replace all references in the Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 to the Diseases of Animals (Jersey) Law 1956 with references to the equivalent provisions in the Animal Health (Jersey) Law 2016.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation Law allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (p): “to substitute for a reference to any legislation or provision of any legislation that has been re-enacted or replaced, whether with or without modifications, a reference to the legislation or provision re-enacting or replacing it”.

## Part 2: Table of proposed solutions

| Title of legislation  | Article etc                    | Current text  | Revised text   |
|---|--------------------------------|---|--|
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 | Article 1(1), definition “Law” | “Law” means the Diseases of Animals (Jersey) Law 1956         | “Law” means the Animal Health (Jersey) Law 2016                          |
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 | Article 1(2)                   | Articles 3, 4, 13, 14, 34, 34A, 34B, 35, 40 and 42 of the Law | Articles 7, 12, 19, 20, 21 and 22 of, and Schedule 3, Part 1 to, the Law |
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 | Article 1(2)(a)                | the definition of “animals” in Article 1 of the Law           | the definition of “animal” in Article 4 of the Law                       |
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 | Article 1(2)(b)                | the definition of “disease” in Article 1 of the Law           | the definition of “disease” in Article 2 of the Law                      |
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011 | Article 4(1)                   | Article 4(1)(b) of the Law                                    | Article 12(1) of the Law   |

## Part 3: Draft revision giving effect to proposed solutions

### Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011

#### 1 Interpretation

- (1) In this Order, unless the context otherwise requires –
  - ~~“Law” means the Diseases of Animals (Jersey) Law 1956;~~ “Law” means the Animal Health (Jersey) Law 2016
  - “licence” means a licence granted under Article 2(1) of the Rabies Order;
  - “Rabies Order” means the Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011.
- (2) For the purposes of this Order and for the purposes of Articles 7, 12, 19, 20, 21 and 22 of, and Schedule 3, Part 1 to, the Law ~~Articles 3, 4, 13, 14, 34, 34A, 34B, 35, 40 and 42 of the Law~~ insofar as they may be applicable to the making, administration and enforcement of this Order –
  - (a) the definition of “animal” in Article 4 of the Law ~~the definition of “animals” in Article 1 of the Law~~ is extended to include any animal belonging to the orders of mammals specified in the Schedule to the Rabies Order except where specified otherwise in that Schedule;

- (b) ~~the definition of “disease” in Article 2 of the Law~~~~the definition of “disease” in Article 1 of the Law~~ is extended to include, in respect of an animal –
  - (i) Nipah disease;
  - (ii) Hendra disease;
  - (iii) mpox;
  - (iv) tapeworm (*Echinococcus multilocularis*).
- (3) This Order is for the purpose of preventing the introduction or spread in Jersey of the diseases referred to in paragraph (2).
- (4) This Order is to be read with the Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011.
- (5) Except where specified otherwise, this Order does not apply to an animal which is a pet animal in relation to which the Pet Travel Scheme (Jersey) Regulations 2011 apply.

...

#### **4 Notice requirement relating to tapeworm**

- (1) A person who has in his or her possession, or under his or her charge, an animal infected with tapeworm (*Echinococcus multilocularis*), or the carcase of such an animal, shall comply with the notification requirements under ~~Article 12(1) of the Law~~~~Article 4(1)(b) of the Law~~.
- (2) “Animal” for the purposes of paragraph (1) includes a pet animal in relation to which the Pet Travel Scheme (Jersey) Regulations 2011 apply.

# Law Revision Board item 2025/6: renumbering Schedule paragraphs

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 2 to 10) contains the draft revision.

## Part 1: Background

### The issue

We have identified 2 Laws that contain Schedules with incorrect paragraph numbering. Schedules with Parts should have consecutively numbered paragraphs, not restarting from 1 as in these candidates.

### The proposed solution

We propose to renumber the paragraphs in the Schedules so that they comply with the correct practice. Renumbering the paragraphs has cross-referencing consequences, so we propose to also amend cross-references to the renumbered paragraphs.

We also propose to correct incorrect references to “paragraphs” that should actually refer to “sub-paragraphs”.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the “Legislation Law”) allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the powers in Article 14(1)(d)(iii): “errors in numbering, cross-referencing, and alphabetical ordering”; and Schedule 1, clause (o): “to add numbering to or renumber any provision”.



## Part 2: Table of proposed solutions

| Title of legislation                              | Article etc   | Current text                                    | Revised text  |
|---|---|---|---|
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2  | <i>Paragraph numbers 1 to 9</i>                 | <i>Renumbered as paragraphs 3 to 11, respectively</i> |
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2, paragraph 2 ( <i>to be renumbered as paragraph 4</i> )              | paragraph 1 of this Part                        | paragraph 3   |
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2, paragraph 2 ( <i>to be renumbered as paragraph 4</i> )              | of Part 1 of this Schedule                      | <i>[text deleted]</i>                                 |
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2, paragraph 3(1) ( <i>to be renumbered as paragraph 5(1)</i> )        | paragraphs 4 to 6 of this Part of this Schedule | paragraphs 6 to 8                                     |
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2, paragraph 3(2)(a) ( <i>to be renumbered as paragraph 5(2)(a)</i> )  | of Part 1 of this Schedule                      | <i>[text deleted]</i>                                 |
| Capacity and Self-Determination (Jersey) Law 2016 | Schedule, Part 2, paragraph 8(2)(b) ( <i>to be renumbered as paragraph 10(2)(b)</i> ) | paragraph 5(2) of this Part                     | paragraph 7(2)  |
| Mental Health (Jersey) Law 2016                   | Schedule, Part 2  | <i>Paragraph numbers 1 and 2</i>                | <i>Renumbered as paragraphs 7 and 8, respectively</i> |
| Mental Health (Jersey) Law 2016                   | Schedule, Part 1, paragraph 6(2)  | paragraph (1)                                   | sub-paragraph (1)                                     |
| Mental Health (Jersey) Law 2016                   | Schedule, Part 1, paragraph 6(3)  | paragraph (1)                                   | sub-paragraph (1)                                     |
| Mental Health (Jersey) Law 2016                   | Schedule, Part 2, paragraph 1(2) ( <i>to be renumbered as paragraph 7(2)</i> )        | paragraph (1)                                   | sub-paragraph (1)                                     |

## Part 3: Draft revision giving effect to proposed solutions

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# **Capacity and Self-Determination (Jersey) Law 2016**

## **SCHEDULE**

(Article 13)

### **PART 1**

#### **EXECUTION OF LASTING POWER OF ATTORNEY**

##### **1 Form and execution of LPA**

- (1) An instrument conferring a lasting power of attorney must be in such form as may be prescribed, and must include –
  - (a) a statement made and signed by the person conferring authority (“P”), attesting that –
    - (i) P has read and understood such information, about the effect of the LPA, as may be prescribed, and
    - (ii) P intends the authority conferred by the LPA to include authority to make decisions on P’s behalf in circumstances where P no longer has capacity to make them;
  - (b) a statement made and signed by each person on whom authority is conferred (“A”), attesting that –
    - (i) A has read and understood such information, about the effect of the LPA, as may be prescribed, and
    - (ii) A understands that the duties imposed by the LPA must be carried out in the light of Articles 3 (principles to be applied) and 6 (best interests); and
  - (c) in relation to each of the statements mentioned in clauses (a) and (b), a statement made and signed by a person of a prescribed description (“W”) who is neither P nor A, attesting –
    - (i) that W has witnessed the execution of the instrument by P and A or by either P or A, as the case may be, and
    - (ii) where W has witnessed the execution of the instrument by P, to the matters in sub-paragraph (2).
- (2) The matters to which W must attest as mentioned in clause (1)(c) are that in W’s opinion –
  - (a) at the time of P’s execution of the instrument, P understands the purpose of the LPA and the scope of the authority it confers;
  - (b) no fraud or undue pressure is being used to induce P to confer such authority or execute the LPA; and
  - (c) there is nothing else which would prevent a valid power from being conferred in the case.
- (3) In clauses (1)(a) and (b), a reference to reading information includes receiving information by any means (such as, but without limitation, aurally or by the use of Braille) by which that information may be communicated effectively.
- (4) Despite sub-paragraph (1), a LPA shall be valid when it has not been signed by P if –
  - (a) P declared in the presence of a witness of a prescribed description that, being physically incapacitated to sign the LPA himself or herself, P wished the LPA to be signed by another person on P’s behalf;

- (b) the declaration by P and the date it was made are recorded on the face of the LPA;
- (c) the LPA was read aloud to P (or, in the case where P is deaf, the whole contents of the LPA were made known to P by some other means) in the presence of the person signing the LPA on behalf of P and the witness; and
- (d) after the LPA was read to P (or in the case where P is deaf, after the whole contents of the LPA were made known to him or her by some other means), it was signed by some other person on P's behalf, in the presence of the witness and the witness put his or her signature to the LPA in the presence of P and that other person.

## 2 Power of Minister to prescribe information and guidance

Where a form is prescribed under paragraph 1, the Minister –

- (a) must prescribe the information mentioned in sub-paragraphs (1)(a) and (b) of that paragraph; and
- (b) may prescribe guidance to assist those executing an instrument creating a lasting power of attorney.

## PART 2

### REGISTRATION OF LASTING POWER OF ATTORNEY

#### 13 Application for registration

- (1) A lasting power of attorney is not created, and no such power may be validly exercised, until the instrument purporting to create it is registered in accordance with this Part of this Schedule.
- (2) An application for registration must be made to the Judicial Greffe –
  - (a) in the prescribed form, and including the instrument and all such other information as may be prescribed;
  - (b) by P or by A; and
  - (c) accompanied by the prescribed fee.
- (3) Where the instrument confers authority on more than one person to act jointly and severally, “A” in sub-paragraph (2)(b) means any one of the persons on whom authority is so conferred.
- (4) A person who, in an application under this paragraph, makes a statement which the person knows to be false in a material particular, is guilty of an offence and liable upon conviction to imprisonment for a term of 2 years and a fine.

#### 24 Notification of application

As soon as practicable after receiving an application under ~~paragraph 1 of this Part~~ [paragraph 3](#), the Judicial Greffe must give notice of the application, in the prescribed form, to each of the persons who made and signed a statement as described in paragraph 1(1)(a) and (b) ~~of Part 1 of this Schedule~~.

#### 35 Registration

- (1) Subject to this paragraph and ~~paragraphs 4 to 6 of this Part of this Schedule~~ [paragraphs 6 to 8](#), the Judicial Greffe must register the lasting power of attorney no later than the end of the period prescribed for this purpose.

- (2) If it appears to the Judicial Greffe that –
  - (a) the instrument is not made in accordance with paragraph 1 ~~of Part 1 of this Schedule~~; or
  - (b) the instrument contains a provision which would be ineffective or would otherwise prevent the creation or operation of a valid lasting power of attorney,
 the Judicial Greffe must not register a lasting power of attorney and must as soon as practicable return the form to the applicant together with a statement of reasons why no lasting power of attorney has been registered.
- (3) In a case to which sub-paragraph (2) applies, an application may be made to the Court under Article 19 or 20 for its determination of the matter, and sub-paragraph (4) shall apply where the Court determines that the instrument contains a provision which –
  - (a) would be ineffective as part of a lasting power of attorney; or
  - (b) would otherwise prevent the creation or operation of a valid lasting power of attorney.
- (4) Where this sub-paragraph applies, the Court must –
  - (a) sever the provision, and notify the Judicial Greffe that it has done so; or
  - (b) direct the Judicial Greffe not to register the instrument as creating a lasting power of attorney.
- (5) Where the Judicial Greffe is notified by the Court that a provision has been severed, the Judicial Greffe must register the instrument with a note to that effect attached to it.

#### **46 Delegate already appointed**

Where it appears to the Judicial Greffe that –

- (a) there is already a delegate appointed by the Court for P; and
- (b) the authority to be conferred on A would, if the lasting power of attorney were registered, conflict with the powers conferred on the delegate,

the Judicial Greffe must not register the instrument unless directed to do so by the Court.

#### **57 Objections to registration**

- (1) A person may give notice of an objection to registration of an instrument –
  - (a) to the Judicial Greffe;
  - (b) before the end of the prescribed period,
 on any of the grounds listed in sub-paragraph (2).
- (2) The grounds mentioned in sub-paragraph (1) are that –
  - (a) a declaration of bankruptcy has revoked a property and affairs LPA, under Article 17(3);
  - (b) an event listed in Article 17(5) has occurred which has revoked the lasting power of attorney;
  - (c) fraud, or undue pressure, was used to induce P to execute the instrument; or
  - (d) the instrument was not made in accordance with Part 1 of this Schedule.
- (3) If the Judicial Greffe is satisfied that the ground for making the objection is established, the instrument is not to be registered unless the Court, on the application of the person applying for registration –
  - (a) is satisfied that the ground is not established; and

- (b) directs the Judicial Greffe to register the instrument as creating a lasting power of attorney.

## **68 Notification of registration**

Where an instrument is registered under this Schedule, the Judicial Greffe must give notice of the fact in the prescribed form to P and to A.

## **79 Evidence of registration**

A document provided by the Judicial Greffe and purporting to be a copy of an instrument registered under this Schedule is, in Jersey, evidence of –

- (a) the contents of the instrument; and
- (b) the fact that it has been registered as creating a lasting power of attorney.

## **810 Cancellation of registration**

- (1) Where registration of an instrument as creating a lasting power of attorney has taken place, the registration may be cancelled only –
  - (a) by the Judicial Greffe, in accordance with sub-paragraph (2); or
  - (b) by the Court, in accordance with sub-paragraph (3),  
and by no other means.
- (2) Where, after an instrument has been registered, the Judicial Greffe is satisfied that –
  - (a) P, having capacity to do so, has revoked the lasting power of attorney; or
  - (b) any of the grounds listed in ~~paragraph 5(2) of this Part~~ [paragraph 7\(2\)](#) has been established,the Judicial Greffe must cancel the registration and must notify P and A of the fact of the cancellation.
- (3) The Court must direct the Judicial Greffe to cancel a registration of an instrument as creating a lasting power of attorney where the Court –
  - (a) determines under Article 19(1)(a) that one or more of the requirements for the creation of a lasting power of attorney have not been met;
  - (b) determines under Article 19(1)(b) that a lasting power of attorney has been revoked or has otherwise come to an end; or
  - (c) revokes a lasting power of attorney under Article 19(3).
- (4) Sub-paragraph (5) applies where the Court determines that the instrument contains a provision which –
  - (a) would be ineffective as part of a lasting power of attorney; or
  - (b) would otherwise prevent the creation or operation of a valid lasting power of attorney.
- (5) Where this sub-paragraph applies, the Court must –
  - (a) sever the provision, and notify the Judicial Greffe that it has done so; or
  - (b) direct the Judicial Greffe to cancel the registration of the instrument as creating a lasting power of attorney.
- (6) Where the Judicial Greffe is notified by the Court that a provision has been severed, the Judicial Greffe must attach a note to the instrument to that effect.

## **911 Records of alterations to registered LPAs**

- (1) Where, in the case of a registered instrument, it appears to the Judicial Greffe that –
  - (a) a lasting power of attorney is revoked, or suspended, in whole or in part in relation to P's property and affairs (but not in relation to other matters);
  - (b) an event has occurred which has terminated A's appointment, but has not revoked a lasting power of attorney; or
  - (c) A has been replaced by a substitute under the terms of the instrument,the Judicial Greffe must attach a note to the instrument to that effect.
- (2) In any case where the Judicial Greffe attaches a note to an instrument under the provisions of this Part, the Judicial Greffe must give notice of doing so to A (and in a case where more than one person is appointed as A, to each of them).

# **Mental Health (Jersey) Law 2016**

## **SCHEDULE**

(Articles 47, 49 and 50)

### **PART 1**

#### **CONSTITUTION AND PROCEEDINGS OF MENTAL HEALTH REVIEW TRIBUNAL**

##### **1 Selection of members**

The members who are to constitute the Tribunal for the purposes of any proceedings, or any class or group of proceedings, under this Law shall be selected –

- (a) from among the persons appointed to the Panel and in accordance with paragraphs 2 and 3;
- (b) by –
  - (i) the Chairman,
  - (ii) (if the Chairman is not available to act) the Vice Chairman, or
  - (iii) (if neither the Chairman nor the Vice Chairman is available to act) the Bailiff.

##### **2 Constitution of Tribunal**

Each Tribunal selected under paragraph 1 shall consist of at least 3 members comprising –

- (a) one legal member (who may be the Chairman or Vice-Chairman);
- (b) one medical member; and
- (c) one lay member.

##### **3 Notification of members**

The Chairman, Vice-Chairman or (as the case may be) the Bailiff must notify a member selected under paragraph 1, in such manner as may be agreed between the Bailiff and the Chairman for that purpose, of the fact of the selection and of the details of the application or reference which the Tribunal in question is to consider.

#### **4 Conflicts of interest**

If a member has any interest in the patient to whom the application or reference relates, the member must as soon as practicable inform the Chairman, Vice Chairman or (as the case may be) the Bailiff of the existence of that interest and shall cease to be eligible to act as a member of the Tribunal hearing the application or reference in question.

#### **5 Proceedings**

The Minister may by Order make such rules of procedure as the Minister may think fit in relation to the constitution, proceedings and powers of the Tribunal, and in relation to matters incidental or consequential upon such proceedings, and such rules may (without limitation to the generality of the power conferred by this paragraph) include provision –

- (a) as to the manner in which, the means by which, and the period within which proceedings of the Tribunal may be instituted, adjourned, withdrawn or discontinued;
- (b) as to the further constitution of the Tribunal, in relation to the consideration of any particular application or class of application;
- (c) as to the maximum period which may elapse, following the receipt of an application or reference by the Tribunal, until the commencement of proceedings in relation to that application or reference;
- (d) for determining without a hearing, and on the basis of written representations, such matters as may be specified and in such circumstances as may be specified;
- (e) for enabling the Tribunal –
  - (i) to exclude members of the public or any specified class of members of the public from any of the Tribunal's proceedings, and
  - (ii) to prohibit the publication of reports of its proceedings or of the identity of any person concerned in those proceedings;
- (f) as to the regulation of representation before the Tribunal, including representation by persons who are not legally qualified, whether or not in addition to representation by an advocate or solicitor of the Royal Court;
- (g) as to the regulation of methods by which information relevant to an application may be obtained by, or provided to, the Tribunal and in particular for authorizing a member of the Tribunal to visit and interview in private any patient concerned in any proceedings;
- (h) as to the provision to any applicant or patient concerned in any proceedings of copies of statements, documents or information obtained by or provided to the Tribunal in connection with those proceedings;
- (i) restricting the availability of information to the patient or any other person concerned in any proceedings, where to do so is necessary in the interests of the patient or otherwise in the interests of justice;
- (j) as to the provision of statements of reasons for the Tribunal's decisions, including the form and content of such statements, and the grounds on which or cases in which such statements may be withheld, where to do so is necessary in the interests of the patient or otherwise in the interests of justice;
- (k) as to costs, fees, expenses and allowances (including expenses and allowances which may be provided by the Minister to the members of the Tribunal);
- (l) as to the powers of the Tribunal to review its own decisions and to correct omissions and clerical errors;
- (m) as to such ancillary powers of the Tribunal which the Minister considers necessary for the purposes of the proper discharge of functions of the Tribunal and of the just disposal of its proceedings; and

- (n) as to the Tribunal’s obligations of confidentiality, including prescribing circumstances in which information may be disclosed by the Tribunal and the persons to whom it may be disclosed.

## 6 Offence of disclosure of information

- (1) Subject to sub-paragraph (2), a member of the Panel shall not disclose any document or other information –
  - (a) relating to the business or affairs of any person; and
  - (b) which is acquired by the member in the course of exercising functions of a member of the Panel.
- (2) A disclosure which is otherwise prohibited by ~~paragraph (1)~~sub-paragraph (1) may be made –
  - (a) with the consent of (or consent lawfully given on behalf of) –
    - (i) the person to whom the disclosure relates, and
    - (ii) if different, the person from whom the document or information was acquired; or
  - (b) to the extent that the disclosure is necessary –
    - (i) to enable the member to exercise functions as a member of the Panel,
    - (ii) in the interests of the investigation, detection, prevention or prosecution of crime, or
    - (iii) to comply with an order of a court.
- (3) A person who makes a disclosure in contravention of ~~paragraph (1)~~sub-paragraph (1) is guilty of an offence and liable to a fine.

## PART 2

### APPLICATIONS TO THE TRIBUNAL

#### 17 Types of applications and applicants

- (1) An application may be made to the Tribunal –
  - (a) following a decision or other exercise of a power as described in the first column of the following table;
  - (b) by the patient (including by the patient’s nearest person) or another person as described in the second column (the “applicant”); and
  - (c) within the period described in the third column,
 for a review of the decision or exercise of the power in question, and in particular, where the patient is for the time being liable to be detained, for the discharge of the patient.
- (2) An application under ~~paragraph (1)~~sub-paragraph (1) shall be made in such form as may be prescribed, or in writing substantially to the same effect.

| DECISION OR EXERCISE OF POWER               | APPLICANT                                     | PERIOD  |
|---|---|---|
| Detention under an assessment authorization | The patient to whom the authorization relates | 14 days beginning with the day on which notice is given under Article 20(2) that the patient is |



|  |   |  |
|--|---|--|
|  |   | admitted to an approved establishment  |
| First detention under a treatment authorization  | The patient to whom the authorization relates                                     | 6 months beginning with the day on which notice is given under Article 20(2) that the patient is admitted to an approved establishment |
| First renewal of detention under a treatment authorization   | The patient to whom the authorization relates                                     | 6 months beginning with the day on which the authorization is first renewed  |
| Subsequent renewal of detention under a treatment authorization  | The patient to whom the authorization relates                                     | 12 months beginning with the day on which the authorization is renewed   |
| Exercise of power to recall from absence   | The patient in respect of whom the power is exercised                             | 14 days beginning with the day on which the power is exercised   |
| Detention in custody following absence without leave   | The patient who is taken into custody   | 28 days beginning with the day on which the patient is detained  |
| Reception into guardianship  | The patient to whom the guardianship authorization relates                        | 6 months beginning with the day on which the guardianship authorization is made  |
| The making or renewal of a treatment order   | The patient to whom the order relates   | 6 months beginning with the day on which the order is made or renewed  |
| Decision by managers of an approved establishment to withhold a postal packet or the contents of such a packet | The patient<br>A person (other than the patient) by whom a postal packet was sent | 6 months beginning with the day on which the applicant receives notice under Article 83(5) that the postal packet has been withheld    |
| Authorization to remove person from Jersey   | The Minister  | As provided by Article 85(2)   |

## **28 Limit on applications, and further interpretation of table**

- (1) Only one application may be made by the same applicant within a period described in the third column of the table, except where a previous application made by the same applicant under the same provision has been withdrawn.
- (2) For the avoidance of doubt, in relation to the first two entries in the table, detention under an authorization includes any detention during the initial period (as defined in Article 20(1)(b)).

# Law Revision Board item 2025/7: deleting redundant definitions

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2) lists the changes made in the draft revision.

Part 3 (pages 2 to 6) contains the draft revision.

## Part 1: Background

### The issue

We have identified several provisions that contain redundant definitions. Definitions are redundant if they:

- define terms that are defined in the interpretation provision of the same instrument; or
- define terms that are defined in Part 1 of the Schedule to the Interpretation (Jersey) Law 1954 (as those defined terms apply across the statute book).

### The proposed solution

We propose to delete the redundant definitions.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the "Legislation Law") allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (k): "to delete any obsolete or redundant words or provisions".

## Part 2: Table of proposed solutions

| <b>Title of legislation</b>                             | <b>Article etc</b>                     | <b>Current text</b>   | <b>Revised text</b>   |
|---|--|---|---|
| Human Transplantation and Anatomy (Jersey) Law 2018     | Article 8(12)                          | In this Article “adult” means a person who is 18 years of age or older.   | <i>Paragraph to be deleted (“Adult” is defined in Article 1(1))</i>   |
| Inquests and Post-Mortem Examinations (Jersey) Law 1995 | Article 1, definition “police officer” | “police officer” means a member of the Honorary Police or a member of the States of Jersey Police Force;                                  | <i>Definition to be deleted (“police officer” is defined in Part 1 of the Schedule to the Interpretation (Jersey) Law 1954)</i> |
| Medicines (Jersey) Law 1995                             | Article 1(1), definition “doctor”      | “doctor” means a person registered as a registered medical practitioner under the Medical Practitioners (Registration) (Jersey) Law 1960; | <i>Definition to be deleted (“doctor” is defined in Part 1 of the Schedule to the Interpretation (Jersey) Law 1954)</i>         |
| Misuse of Drugs (Jersey) Law 1978                       | Article 1(1), definition “doctor”      | “doctor” means a registered person within the meaning of the Medical Practitioners (Registration) (Jersey) Law 1960;                      | <i>Definition to be deleted (“doctor” is defined in Part 1 of the Schedule to the Interpretation (Jersey) Law 1954)</i>         |
| Piercing and Tattooing (Jersey) Law 2002                | Article 1, definition “doctor”         | “doctor” means a medical practitioner registered under the Medical Practitioners (Registration) (Jersey) Law 1960;                        | <i>Definition to be deleted (“doctor” is defined in Part 1 of the Schedule to the Interpretation (Jersey) Law 1954)</i>         |
| Road Traffic (Jersey) Law 1956                          | Article 43(7)                          | In this Article, “registered medical practitioner” has the same meaning as in the Medical Practitioners (Registration) (Jersey) Law 1960. | <i>Paragraph to be deleted (“registered medical practitioner” is defined in Article 1(1))</i>                                   |

## Part 3: Draft revision giving effect to proposed solutions

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## Human Transplantation and Anatomy (Jersey) Law 2018

### 8 Appointed persons

- (1) A person may appoint one or more persons to represent him or her after death in relation to express consent for the purpose of this Law.
- (2) An appointment under this Article may be general or may be limited to express consent in relation to one or more specified activities as may be specified in the appointment.
- (3) Subject to paragraph (4), an appointment under paragraph (1) may be made orally or in writing.
- (4) An oral appointment under this Article is only valid if made in the presence of at least 2 witnesses present at the time the appointment is made.
- (5) A written appointment under this Article is only valid if –
  - (a) it is signed by the person making it in the presence of at least one witness who attests to the signature;
  - (b) it is signed at the direction of the person making it, in his or her presence and in the presence of at least one witness who attests to the signature; or
  - (c) it is contained in the will of the person making it.
- (6) Where a person appoints 2 or more persons in relation to the same specified activity, they are to be regarded as appointed to act jointly and severally unless the appointment provides that they are appointed to act jointly.
- (7) An appointment under this Article may be revoked at any time.
- (8) Paragraphs (3), (4), (5) and (6) apply to the revocation of an appointment under this Article as they apply to making of such an appointment.
- (9) A person appointed under this Article may at any time renounce the appointment.
- (10) A person may only act under an appointment under this Article if the person –
  - (a) is an adult; and
  - (b) is not of a description prescribed.
- (11) For the purposes of Articles 4(4), 5(5), 6(3) and 7(3) or (4), if it is not reasonably practicable to communicate with a person appointed under this Article, within the time available if consent is to be acted upon, the person is to be treated as being not able to give consent to an activity under the appointment.
- (12) ~~In this Article “adult” means a person who is 18 years of age or older.~~

## Inquests and Post-Mortem Examinations (Jersey) Law 1995

### 1 Interpretation

In this Law, unless the context otherwise requires –

“Court” means the Royal Court;

~~“police officer” means a member of the Honorary Police or a member of the States of Jersey Police Force;~~

“registered medical practitioner” means a medical practitioner registered under the Medical Practitioners (Registration) (Jersey) Law 1960 and, for the purpose of the

performance of a post-mortem examination pursuant to Article 17 or 18, includes a person who is qualified to be registered under that Law;

“relevant registrar” has the same meaning as it has in the Marriage and Civil Status (Jersey) Law 2001, and in relation to a relevant registrar, “register of deaths” means the register maintained by that registrar for the registration of deaths under that Law.

## **Medicines (Jersey) Law 1995**

### **1 General interpretation**

(1) In this Law unless the context otherwise requires –

“Advisory Council” means the Medicines Advisory Council established under Article 5;

“analysis” includes micro-biological assay but no other form of biological assay, and

“analyse” has a corresponding meaning;

...

“disease” includes any injury, ailment or adverse condition, whether of body or mind;

~~“doctor” means a person registered as a registered medical practitioner under the Medical Practitioners (Registration) (Jersey) Law 1960;~~

“enactment” includes an enactment of the United Kingdom;

...

## **Misuse of Drugs (Jersey) Law 1978**

### **1 Interpretation**

(1) In this Law, unless the context otherwise requires –

“cannabis” (except in the expression “cannabis resin”) means any plant of the genus *Cannabis* or any part of any such plant, but does not include cannabis resin or any of the following products after separation from the rest of the plant, namely –

(a) mature stalk of any such plant;

(b) fibre produced from mature stalk of any such plant; and

(c) seed of any such plant;

...

~~“doctor” means a registered person within the meaning of the Medical Practitioners (Registration) (Jersey) Law 1960;~~

“drug trafficking” means carrying out, or being concerned in, any of the following activities, whether in Jersey or elsewhere –

(a) producing or supplying a controlled drug in contravention of Article 5 of this Law or a corresponding law;

(b) transporting or storing a controlled drug where possession of the drug contravenes Article 8(1) of this Law or a corresponding law;

- (c) importing or exporting goods where the importation or exportation is prohibited by Article 10A of this Law, Article 31(5) of the Proceeds of Crime (Jersey) Law 1999, or a corresponding law;
  - (d) manufacturing or supplying a scheduled substance where such manufacture or supply –
    - (i) amounts to the commission of an offence under Article 6 of this Law or a corresponding law, or
    - (ii) would be such an offence if it took place in Jersey;
  - (e) illicit traffic in a controlled drug by means of a ship in circumstances which amount to the commission of an offence under Article 11B of this Law;
- ...

## Piercing and Tattooing (Jersey) Law 2002

### 1 Interpretation

In this Law, unless the context otherwise requires –

“acupuncture” means the insertion of solid needles into the skin in order to stimulate nerve impulses for medical purposes;

“body piercing” means total or partial penetration of any part of the skin other than the lower non-cartilaginous lobe of the pinna, using a needle or other implement, with the intention of creating an aperture for decorative or cosmetic purposes, including insertion through or into the skin, whether or not by the person carrying out the body piercing, of decorative jewellery;

“Commission” means the Health and Social Care Commission established by Article 35 of the Regulation of Care (Jersey) Law 2014;

“designated officer” means a person appointed under Article 7;

~~“doctor” means a medical practitioner registered under the Medical Practitioners (Registration) (Jersey) Law 1960;~~

“ear piercing” means total or partial penetration of the lower non-cartilaginous lobe of the pinna, using a needle or other implement, with the intention of creating an aperture for decorative or cosmetic purposes, including insertion through or into the skin, whether or not by the person carrying out the ear piercing, of decorative jewellery;

## Road Traffic (Jersey) Law 1956

### 43 Medical exemption certificate

(1) For the purposes of this Law –

(a) a medical exemption certificate is –

- (i) a certificate issued by a registered medical practitioner in accordance with the provisions of this Article to the effect that the registered medical practitioner is satisfied that it is inadvisable on medical grounds for the person named in the certificate to wear a seat belt, or

- (ii) a certificate to such effect issued by an authority having power to issue such a certificate under the law of the United Kingdom or a member State of the European Union;
- (b) a medical exemption certificate may be issued –
  - (i) for a period not exceeding one month, by a registered medical practitioner,
  - (ii) in all other circumstances by the Medical Officer of Health in response to an application made in accordance with the provisions of this Article.
- (2) An application for a medical exemption certificate, valid for a period in excess of one month or for an unspecified period, shall be made to the Medical Officer of Health in a form approved by the Minister.
- (3) On receipt of an application the Medical Officer of Health may –
  - (a) if satisfied that it is inadvisable on medical grounds for the applicant to wear a seat belt, issue a certificate to that effect in a form approved by the Minister for –
    - (i) a specified period, or
    - (ii) an unspecified period; or
  - (b) refuse to issue a medical exemption certificate.
- (4) If any person is aggrieved by a refusal of the Medical Officer of Health to issue a medical exemption certificate he or she may appeal to such registered medical practitioner as the Minister shall from time to time nominate for the purpose of such appeals.
- (5) A registered medical practitioner nominated under paragraph (4) shall, with the least possible delay, consider an appeal under that paragraph and may uphold the decision of the Medical Officer of Health to refuse a medical exemption certificate or may require the Medical Officer of Health to issue a medical exemption certificate for a specified or unspecified period.
- (6) The decision of a registered medical practitioner nominated under paragraph (4) shall be final and without further appeal.
- (7) ~~In this Article, “registered medical practitioner” has the same meaning as in the Medical Practitioners (Registration) (Jersey) Law 1960.~~

# Law Revision Board item 2025/8: making consistent reference to the library

## Overview

This document asks the Law Revision Board to certify a draft revision as revised legislation. If certified by the Board, the revision will take effect on the date that the record of the Board's decision is laid before the States.

Part 1 (page 1) explains the issue giving rise to the draft revision, the types of changes made in the draft revision, and the legislative powers relied on in the preparation of the draft revision.

Part 2 (page 2 to 3) lists the changes made in the draft revision.

Part 3 (pages 3 to 12) contains the draft revision.

## Part 1: Background

### The issue

Regulation 1(1) of the Public Library (Jersey) Regulations 2007 (the "Public Library Regulations") includes the definition "*Jersey Library*" and "*Library*" mean the public library service of Jersey, yet there is inconsistency in the terminology used to refer to the Jersey library across the statute book, encompassing multiple variations.

### The proposed solution

We propose to replace the definition "Jersey Library" in the Public Library Regulations with a definition "Public Library" and to use the term "the Public Library" consistently across the statute book.

We note that the definition in the Public Library Regulations does not apply across the statute book (it is not included in the Interpretation Law, but could be in the future), but we are satisfied that "the Public Library" is a sufficiently unambiguous term and that its use across the statute book will not result in legal uncertainty. In all but 1 instance (when read as amended) it is clear that the term means either the library service as a whole or (through the context of a specific location) a specific library. The exception is to be found in Article 1(1) of the Rates Law 2005, which specifies the library "*in St. Helier*", a necessary distinction stating that documents must be made available at that location.

### Is the proposed solution within the Law Revision Board's powers?

Article 15(7) of the Legislation (Jersey) Law 2021 (the "Legislation Law") allows the Law Revision Board to certify a draft revision as revised legislation only if the Board is satisfied that the changes made by the revision are within the powers set out in Article 14 or Schedule 1 of the Legislation Law.

The changes made by the draft revision fall within the power in Schedule 1, clause (l): "to alter any words to secure uniformity of expression in any legislation".



## Part 2: Table of proposed solutions

| <b>Title of legislation</b>  | <b>Article etc</b>                        | <b>Current text</b>  | <b>Revised text</b>  |
|--|---|--|--|
| Intellectual Property (Unregistered Rights) (Miscellaneous Provisions) (Jersey) Order 2012 | Article 3(1)(a)                           | the public library service of Jersey                                     | the Public Library   |
| Intellectual Property (Unregistered Rights) (Miscellaneous Provisions) (Jersey) Order 2012 | Article 8(2)(a)                           | the public library service of Jersey                                     | the Public Library   |
| Legal Deposit (Jersey) Law 2007  | Long title                                | the Jersey Library   | the Public Library   |
| Legal Deposit (Jersey) Law 2007  | Article 1(1)                              | “Library” and “Jersey Library” mean the public library service of Jersey | “Library” and “Public Library” mean the public library service of Jersey |
| Legal Deposit (Jersey) Law 2007  | Article 4, in the heading and in the text | Jersey Library   | Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 1(1)                              | “Jersey Library” and “Library” mean the public library service of Jersey | “Library” and “Public Library” mean the public library service of Jersey |
| Public Library (Jersey) Regulations 2007   | Article 2(1)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 2(2)(a)                           | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 2(3)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 2(4)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 3(3)(a)                           | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 4(2)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 7(1)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 7(2)(c)                           | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 8(1)                              | the Jersey Library’s   | the Public Library’s   |
| Public Library (Jersey) Regulations 2007   | Article 8(2)                              | the Jersey Library   | the Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 9                                 | The Jersey Library   | The Public Library   |
| Public Library (Jersey) Regulations 2007   | Article 10(3)                             | the Jersey Library’s   | the Public Library’s   |
| Public Library (Jersey) Regulations 2007   | Article 11(1)                             | the Jersey Library’s   | the Public Library’s   |
| Rates (Jersey) Law 2005  | Article 1(1)                              | “Library” means the Jersey Library in St. Helier                         | “Library” means the Public Library in St. Helier                         |

|   |  |                           |                    |
|---|--|---------------------------|--------------------|
| Road Traffic (Disabled Persons) (Parking) (Jersey) Order 2002 | Schedule 1, under the heading “St. Helier” and sub-heading “Parking places - 1 hour limit”, in column 2 of the entry for Halkett Place ( <i>in both places</i> ) | the ‘States Library’      | the Public Library |
| Road Traffic (St. Helier) (Jersey) Order 1996                 | Schedule 4, in column 2 of the entry for Don Street  | the States Public Library | the Public Library |
| Road Traffic (St. Helier) (Jersey) Order 1996                 | Schedule 4, in column 2 of the entry for Duhamel Place   | the States Public Library | the Public Library |
| Road Traffic (St. Helier) (Jersey) Order 1996                 | Schedule 4, in column 2 of the entry for Halkett Place   | the States Library        | the Public Library |

### Part 3: Draft revision giving effect to proposed solutions

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## Intellectual Property (Unregistered Rights) (Miscellaneous Provisions) (Jersey) Order 2012

### 3 Supply of copies by librarians – Articles 61 and 62 of Law

- (1) The following libraries are prescribed for the purposes of Articles 61 and 62 of the Law –
  - (a) [the Public Library](#)~~the public library service of Jersey;~~
  - (b) a library in a school in Jersey;
  - (c) a library in an establishment prescribed in Article 2(1), to the extent that the library is provided for the purposes of the instruction described in that provision;
  - (d) a library provided by and for the purposes of an administration of the States or the States Assembly;
  - (e) a library provided by The Jersey Heritage Trust; and
  - (f) any other library in Jersey, if it is not conducted for profit.
- (2) The following conditions must be complied with when a librarian makes and supplies a copy of any material to a person (the “recipient”) pursuant to Article 61 or 62 of the Law –

- (a) the recipient must have delivered to the librarian a declaration, in writing, in relation to the material, in the form in Schedule 1 and signed as indicated in that form;
- (b) the librarian must be satisfied that the recipient requires the copy of the material for the purposes of research or private study and will not use it for any other purpose;
- (c) the librarian must be satisfied that the recipient is not furnished –
  - (i) under Article 61 of the Law, with more than one copy of an article or more than one article contained in the same issue of a periodical, or
  - (ii) under Article 62 of the Law, with more than one copy of the same material or with a copy of more than a reasonable proportion of any work; and
- (d) the librarian must be satisfied that the requirements of the recipient and of any other person –
  - (i) are not similar, that is to say, are not for copies of substantially the same material at substantially the same time and for substantially the same purposes, and
  - (ii) are not related, that is to say, the recipient and the other person do not receive instruction to which the material is relevant at the same time and place.
- (3) Unless the librarian is aware that the signed declaration delivered by a recipient pursuant to paragraph (2)(a) is false in a material particular, the librarian may rely on it as to the matter the librarian is required to be satisfied of under paragraph (2)(b) before making or supplying the copy.

...

## 8 Archiving of recordings of broadcasts – Article 103 of Law

- (1) All broadcasts, other than encrypted transmissions, are broadcasts of a designated class for the purpose described in Article 103(1) of the Law.
- (2) The following bodies are designated for the purposes of Article 103(1) of the Law –
  - (a) [the Public Library](#)~~the public library service of Jersey~~; and
  - (b) The Jersey Heritage Trust.

## Legal Deposit (Jersey) Law 2007

**A LAW** to require the deposit in [the Public Library](#)~~the Jersey Library~~ of copies of works that are published in Jersey; to provide for their preservation as part of the cultural heritage of Jersey; and for related matters.

...

## PART 1

### INTRODUCTORY PROVISIONS

#### 1 Interpretation

- (1) In this Law, unless the context otherwise requires –

“book” includes a pamphlet, magazine or newspaper;

“deposited copy” refers to a copy of a work, and means a copy that is deposited under Article 5;

“Library” and “Public Library” mean the public library service of Jersey~~“Library” and “Jersey Library” mean the public library service of Jersey;~~

“medium” means any medium of publication, including in particular any form of on-line or off-line publication;

“Minister” means the Minister for Education and Lifelong Learning;

“work in the printed medium” means –

- (a) a book;
  - (b) a sheet of music;
  - (c) a map, plan, chart or table; or
  - (d) a part of any work to which any of sub-paragraphs (a), (b) and (c) refers.
- (2) In this Law, unless the context otherwise requires –
- (a) where Regulations define the circumstances in which the act of publishing a work otherwise than in the printed medium is to be treated as occurring in Jersey, a reference to the publishing of the work in Jersey shall be construed accordingly; and
  - (b) where Regulations prescribe the manner of deposit of a work that is not in the printed medium, a reference to the depositing of a copy of the work is to its deposit in that manner.

...

## PART 2

### DEPOSIT OF WORKS PUBLISHED IN JERSEY

#### 4 Public Library~~Jersey Library~~ to be the repository for copies of works

The Public Library~~Jersey Library~~ shall be the repository for copies of works that are to be deposited under this Law.

### Public Library (Jersey) Regulations 2007

#### 1 Interpretation

- (1) In these Regulations –

“function” includes power, authority and duty;

“Library” and “Public Library” mean the public library service of Jersey~~“Jersey Library” and “Library” mean the public library service of Jersey;~~

“Library Code” means a code adopted by the Chief Librarian under Regulation 10;

“library materials” includes books, periodicals, other printed matter, sheets of music, maps, plans, charts, pictures, audiotapes, compact discs, videotapes, other recordings, films and electronic publications and any other things that in accordance with contemporary library practice (as practised from time to time) are lent or provided by a library service to members of the public;

“Minister” means the Minister for Education and Lifelong Learning;

“premises” includes mobile facilities;

“staff” means the Chief Librarian appointed under Regulation 4 and the other staff appointed under Regulation 5;

“States’ employee” has the same meaning as in the Employment of States of Jersey Employees (Jersey) Law 2005;

“States Employment Board” means the States Employment Board to which Article 4 of the Employment of States of Jersey Employees (Jersey) Law 2005 refers.

- (2) In these Regulations, a reference to the Library’s doing anything shall be a reference to the doing of that thing by the Chief Librarian or by a member of the Library’s staff.

## **2 Public library service**

- (1) There shall continue to be a public library service of Jersey called the Public Library~~the Jersey Library~~.
- (2) It shall be the duty of the Minister –
  - (a) to provide, by means of the Public Library~~the Jersey Library~~, a comprehensive and efficient facility for persons who live, work or study in Jersey; and
  - (b) to promote the improvement of the Library.
- (3) The Minister shall be responsible for the safe keeping of the library materials of the Public Library~~the Jersey Library~~, and the other records and property that are owned or held by the Library or are otherwise in its possession or control.
- (4) The Minister shall have the general charge of the Public Library~~the Jersey Library~~.

## **3 Considerations to which Minister must have regard**

- (1) In discharging his or her duties under Regulation 2, the Minister shall have regard to the desirability of securing –
  - (a) by the keeping of adequate stocks;
  - (b) by arrangements with other library services; and
  - (c) by any other appropriate means,that facilities are available for the purposes specified in paragraph (2).
- (2) Those purposes are the borrowing of or reference to library materials that are sufficient in number, range and quality to meet the general requirements, and any reasonable special requirements, of adults and children.
- (3) In discharging his or her duties under Regulation 2, the Minister shall also have regard to the desirability of the following –
  - (a) encouraging both adults and children to make full use of the Public Library~~the Jersey Library~~;
  - (b) providing advice as to the use of the Library;
  - (c) making bibliographical and other information available to users of the Library.

## **4 Chief Librarian**

- (1) The States Employment Board shall appoint a person under the Employment of States of Jersey Employees (Jersey) Law 2005 as the Chief Librarian.

- (2) The Chief Librarian shall be the administrative head of [the Public Library](#)~~the Jersey Library~~, and is responsible to the Minister for its proper management.

## **5 Other staff**

- (1) The States Employment Board may appoint States' employees, and other employees, to assist the Chief Librarian.
- (2) The employees so appointed shall perform such duties as the Chief Librarian may direct.

## **6 Delegation of functions and powers**

- (1) The Chief Librarian may delegate any of his or her functions under these Regulations, or under any other enactment, to any States' employee.
- (2) Such a delegation of a function does not prevent the Chief Librarian from discharging the function.
- (3) The Chief Librarian may at any time revoke such a delegation.

## **7 Application of funds**

- (1) The Minister may apply any funds at his or her disposal (whether derived from the States or otherwise) to the purposes and expenses of [the Public Library](#)~~the Jersey Library~~.
- (2) In particular, the Minister may apply the funds to –
  - (a) the purchase of library materials;
  - (b) the payment of any fees for the Library's membership of, or affiliation to, any other organizations; and
  - (c) the payment of other expenses in connection with the administration of [the Public Library](#)~~the Jersey Library~~.
- (3) Paragraph (2) shall not limit the operation of paragraph (1).

## **8 Library open to public, but fees and undertakings may be required for certain matters**

- (1) The members of the public shall be admitted to [the Public Library's](#) ~~the Jersey Library's~~ premises free of charge during the hours of opening fixed by the Minister.
- (2) [The Public Library](#) ~~The Jersey Library~~ may make reasonable charges –
  - (a) for the reservation or use of meeting rooms on the Library's premises;
  - (b) for admission to a spectacle, lecture, or other event, held on those premises;
  - (c) for the use of computers or other electronic equipment, or for the use of any equipment or material provided by the Library for use for copying or reproducing anything;
  - (d) as deposits for the borrowing by visitors to Jersey of library materials;
  - (e) for the reservation of library materials;
  - (f) for the cost of replacing or (where appropriate) reinstating library materials that are lost or damaged when on loan;
  - (g) for library materials on loan that are overdue for return;
  - (h) for the replacement of lost library cards;
  - (i) for any other services or facilities provided by the Library.

- (3) This Regulation does not authorize a charge for –
  - (a) access, on any of the Library’s premises, to library materials; or
  - (b) the borrowing of library materials that consist of books, or other printed matter, belonging to the Library,
 by persons who live, work or study in Jersey.
- (4) The Library may require a person who uses equipment, material, services or facilities referred to in this Regulation to give an undertaking as to the person’s use of those things or an undertaking that the person shall adhere to conditions of use set out in the undertaking.
- (5) Paragraph (1) shall not affect the operation of Regulation 11.
- (6) Paragraph (2) shall not limit the operation of paragraph (1).

## 9 Lending

The Public Library ~~The Jersey Library~~ may lend library materials to be taken away from the Library’s premises.

## 10 Library Code

- (1) The Chief Librarian may from time to time adopt as a Library Code a set of rules for the guidance of people who use the Library or work there.
- (2) A Library Code may make provision for any of the following –
  - (a) the registration of persons who wish to borrow library materials;
  - (b) the issue of library cards to those persons;
  - (c) the conditions on which library materials may be used on the Library’s premises;
  - (d) the conditions on which library materials may be borrowed and removed from the Library’s premises;
  - (e) one or more of the charges referred to in Regulation 8(2);
  - (f) any other procedure adopted by the Library in relation to the use of its resources or materials;
  - (g) any other matter relating to reasonable use or reasonable enjoyment of the Library or to reasonable conduct on the Library’s premises.
- (3) A copy of any current Library Code shall be kept at each of the Public Library’s ~~the Jersey Library’s~~ premises to which the public has access, and shall be available (without charge) for inspection there on request by any person present on the premises.

## 11 Exclusion of persons from Library premises

- (1) If a person contravenes a provision of a Library Code or a provision of an undertaking given under Regulation 8(4), any member of the Public Library’s ~~the Jersey Library’s~~ staff may, despite Regulation 8(1), require the person to leave the Library or refuse the person admission to the Library or access to any part of the Library or to any of its resources or materials.
- (2) A person so required to leave shall do so immediately.
- (3) A failure to do so shall itself be a contravention of the relevant provision.
- (4) Paragraph (3) shall not limit the consequences of failing to comply with such a requirement.

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### 13 Citation

These Regulations may be cited as the Public Library (Jersey) Regulations 2007.

## Rates (Jersey) Law 2005

### 1 Interpretation

(1) In this Law, unless the context otherwise requires –

“Annual Island-wide Rates Figure” means the sum calculated in accordance with Article 20(1);

“Approved Rates List” means a Rates List as approved by the Supervisory Committee under Article 11;

...

“Library” means the Public Library in St. Helier~~“Library” means the Jersey Library in St. Helier;~~

“non-domestic purposes” means any purposes other than domestic purposes;

“non-domestic rate” means the Island-wide rate payable under Article 19(b);

## Road Traffic (Disabled Persons) (Parking) (Jersey) Order 2002

### SCHEDULE 1

(Article 2)

#### PARKING PLACES FOR VEHICLES USED BY DISABLED PERSONS

...

*ST. HELIER*

...

#### Parking places – 1 hour limit

Grosvenor Street

South side (between a point 40 yards east of St. James Street and a point 5 yards further east)

Halkett Place

West side (between the southern boundary of the Public Library~~the ‘States Library’~~ and a point 10 yards south of the northern boundary of the Public Library~~the ‘States Library’~~)



|                           |   |
|---------------------------|---|
| Lewis Street              | South side (between a point 10 yards west of Cheapside and a point 6 yards further west)                        |
| Oxford Road               | North side (between Common Lane and a point 13 yards east)  |
| Parade, The (eastern arm) | West side (between a point 5 yards north of the north side of Union Street and a point 7 yards further north)   |
| Patriotic Street          | East side (between a point 71 yards north of Esplanade and a point 11 yards further north)                      |
| Roseville Street          | East side (between a point 37 yards south of La Route du Fort and a point 5 yards further south)                |
| Savile Street             | East side (between a point 50 yards north of the north side of Cannon Street and a point 5 yards further north) |

## Road Traffic (St. Helier) (Jersey) Order 1996

### SCHEDULE 4

(Article 6(1)(a))

#### PROHIBITION OF WAITING

|              |  |
|--------------|--|
| Albert Place | East side (between La Route du Port Elizabeth and a point 52 yards north)<br>West side (between La Route du Port Elizabeth and a point 12 yards north)<br>West side (between a point 41 yards north of La Route du Port Elizabeth and a point 7 yards further north) |
| ...          |  |
| Dongola Road | North side   |
| Don Road     | Both sides   |
| Don Street   | East side (between the pedestrian precinct and a point 34 yards north)<br>East side (between Burrard Street and a point 48 yards north of the pedestrian precinct)   |

Dorset Lane  
Dorset Street

East side (between the northern boundary of [the Public Library](#)~~the States Public Library~~ and a point 14 yards south)

West side (between the pedestrian precinct and a point 42 yards south of Burrard Street)

West side (between Burrard Street and Craig Street)

Both sides

Both sides (between Val Plaisant and Clearview Street)

North side (between Great Union Road and a point 10 yards west of the eastern boundary of No. 1)

North side (between Columbus Street and a point 3 yards east of the western boundary of No. 5)

North side (between Columbus Street and the western boundary of No. 27)

South side (between Great Union Road and a point 5 yards east of the eastern boundary of No. 4)

South side (between Garden Lane and a point 4 yards west of the eastern boundary of No. 10)

South side (between Garden Lane and a point 2 yards east of the eastern boundary of No. 12)

South side (between Clearview Street and a point 4 yards west of the eastern boundary of No. 20)

Drury Lane

East side (between its junction with Dongola Road and its junction with Rouge Bouillon)

West side (between its junction with Dongola Road and the northern boundary of “Inglis House”)

West side (between a point 22 yards south of the northern boundary of “Inglis House” and its junction with Rouge Bouillon)

Duhamel Place

East side (between the northern boundary of [the Public Library](#)~~the States Public Library~~ and a point 15 yards north)

East side (between Grove Street and a point 2 yards north of the northern boundary of No. 8)

|  |  |
|--|--|
| Duhamel Street   | West side  |
| ...  | Both sides   |
| Grove Street   | Both sides   |
| Halkett Place  | East side (between St. Helier Methodist Centre and a point 2 yards north of the northern boundary of Halkett Villas)   |
|  | East side (between Burrard Street and a point 27 yards north)  |
|  | East side (between Burrard Street and a point 2 yards south of the southern boundary of No. 68)  |
|  | East side (between Hilgrove Street and a point 6 yards north of Hill Street)   |
|  | East side (between Beresford Street and a point 15 yards north)  |
|  | West side (between St. Helier Methodist Centre and a point 10 yards south of the northern boundary of <a href="#">the Public Library</a> <del>the States Library</del> ) |
|  | West side (between its junction with Burrard Street and a point 10 yards north of the southern boundary of the “Mechanics Institute”)                                    |
|  | West side (between a point one yard north of the southern boundary of the “Cock and Bottle” public house and a point 2 yards south of the northern boundary of No. 51)   |
| Hansford Lane  | Both sides   |
| Harbour Area (road linking La Route du Port Elizabeth and Albert Pier) | Both sides   |
| ...  |  |