

**STATES LEGISLATION PROGRAMME 1999: ELECTRONIC COMMERCE LAW**

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**Lodged au Greffe on 12th October 1999  
by the Policy and Resources Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

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## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion -**

to agree that the drafting of the Electronic Commerce (Jersey) Law should be included in the States Legislation Programme for 1999.

POLICY AND RESOURCES COMMITTEE

## Report

1. The Finance and Economics Committee is the sponsor of this new item of legislation called the Electronic Commerce (Jersey) Law. Electronic Commerce, also known as e-commerce, refers to business which is conducted electronically, predominantly over the Internet. The new Law would have the objective of both promoting Jersey as an e-commerce centre and providing safeguards in relation to abuses of the Internet, thus protecting Jersey's reputation as a commercial centre.
2. The Electronic Commerce (Jersey) Law is currently listed in the States Legislation Programme for 2000, which was approved by the States as part of the 1999 Resource Plan proposition. When the Legislation Programme was considered by a workshop of States Members in May 1999, the Law was deemed of strategic importance to the Island and was placed high on the list of priorities for 2000.
3. The Finance and Economics Committee consider this new Law to be very important for Jersey's future economy as it would assist Jersey to remain amongst the leading finance centres. E-commerce via the Internet is one of the fastest growing businesses today. Other jurisdictions have recently enacted e-commerce legislation and it is considered vital that Jersey keeps abreast of these developments. The development of e-commerce in Jersey is attractive as it not only adds another dimension to Jersey's economy and provides new business opportunities, but it would also help to develop an industry which is not as intensive as many others in terms of manpower, thus being in line with the States' population policy. The development of e-commerce in Jersey therefore supports several States strategic objectives. The Finance and Economics Committee has requested that law drafting for this Law be progressed in 1999 as an urgent item. This request is supported by the Policy and Resources Committee IS/IT Adviser who attests to the fact that this industry is developing extremely quickly internationally. It is also supported by the Financial Services Commission. The Policy and Resources Committee is in agreement that this Law is important to the Island's economy and has therefore decided to request States' approval for it to be inserted into the 1999 Legislation Programme.
4. The Legislation Programme for the remainder of 1999 is such that the inclusion of the Electronic Commerce (Jersey) Law can only be effected if another Law is delayed for approximately 15 to 20 days. The Policy and Resources Committee has considered the Law Draftsman's work programme and would propose that the Law could be accommodated by delaying work on the Merchant Shipping Law. The law drafting instructions for this complex item have taken several years to prepare, and the law drafting will not be completed until next year. The President of the Harbours and Airport Committee has been consulted on this matter and has indicated that a delay of a few weeks at this point in time would be acceptable. The inclusion of the Electronic Commerce (Jersey) Law in the 1999 Programme will otherwise not adversely affect the other laws in the 1999 Programme or those laws afforded a higher priority in the 2000 Programme.
5. The procedure for advancing urgent requests requires any proposed changes to the agreed Programme to be formally endorsed by the States. The Policy and Resources Committee therefore seeks States' approval to the Electronic Commerce (Jersey) Law being inserted into the 1999 Legislation Programme.