

# STATES OF JERSEY

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## DRAFT AMENDMENT (No. 5) OF THE STANDING ORDERS OF THE STATES OF JERSEY

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Lodged au Greffe on 5th September 2006  
by the Privileges and Procedures Committee

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STATES GREFFE





Jersey

## **DRAFT AMENDMENT (No. 5) OF THE STANDING ORDERS OF THE STATES OF JERSEY**

### **REPORT**

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When new or amended taxation legislation is adopted by the States the Public Finances (Jersey) Law 2005 contains a power for the States to make a declaration by Act that the new or amended legislation may have immediate effect. This is to ensure that matters such as increases in impôts duty can take effect without the need to await Privy Council sanction.

Under the Standing Orders as currently drafted any such draft Act declaring that taxation legislation shall have immediate effect must be lodged for at least two weeks by the Minister for Treasury and Resources. It has, however, become apparent that this is not practical in the context of the Budget debate and that difficulties could arise when taxation legislation is debated at other times. If there are amendments brought to taxation legislation, and these are adopted, the terms of the draft Act declaring that the legislation shall have immediate effect will need to alter. For example, if amendments are agreed that introduce additional increases on Impôts duty, the draft Act will need to refer to these increases. Clearly it is not possible to lodge a draft Act for two weeks when the outcome of the debate on the amendments is not known until the day of debate. To rectify the position this Amendment allows the Minister for Treasury and Resources to propose the Act without notice. This mirrors the provisions that existed under the previous Public Finances (Administration) (Jersey) Law 1967. It is important to stress that the Amendment does not allow the Minister to propose any taxation measures without notice, the provision simply allows the Minister to propose without notice the Act which brings into immediate effect decisions the States have already taken.

There are no financial or manpower implications arising from this amendment.

## **Explanatory Note**

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*Amendment 1* inserts a new standing order 80A, enabling the Minister for Treasury and Resources to propose without notice that the States make an Act declaring that a taxation draft (the legislation required to implement the Budget) shall have immediate effect. The power to make such a declaration is now contained in Article 19 of the Public Finances (Jersey) Law 2005.

*Amendment 2* provides for the citation of the Amendment and for it to come into force 7 days after it is made.





Jersey

# DRAFT AMENDMENT (No. 5) OF THE STANDING ORDERS OF THE STATES OF JERSEY

## Arrangement

### Regulation

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- 1      Standing order 80A inserted
- 2      Citation and commencement





Jersey

## DRAFT AMENDMENT (No. 5) OF THE STANDING ORDERS OF THE STATES OF JERSEY

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES**, in pursuance of Article 48 of the States of Jersey Law 2005<sup>[1]</sup>, have made the following amendment to Standing Orders –

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### 1 **Standing order 80A inserted**

After standing order 80 of the Standing Orders of the States of Jersey<sup>[2]</sup> there shall be inserted the following standing order –

#### **“80A Proposal under Article 19 of the Public Finances (Jersey) Law 2005**

The Minister for Treasury and Resources may propose without notice that the States, by Act, make a declaration under Article 19 of the Public Finances (Jersey) Law 2005<sup>[3]</sup>.”.

### 2 **Citation and commencement**

This Amendment may be cited as Amendment (No. 5) of the Standing Orders of the States of Jersey and shall come into force 7 days after it is made.



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- [1] *chapter 16.800*
- [2] *chapter 16.800.15*
- [3] *chapter 24.900*