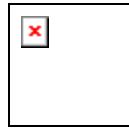


DRAFT SUMMER TIME (AMENDMENT) (JERSEY) LAW 200-

**Lodged au Greffe on 29th January 2002
by the Legislation Committee**



STATES OF JERSEY

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European Convention on Human Rights

The President of the Legislation Committee has made the following statement -

In the view of the Legislation Committee the provisions of the Draft Summer Time (Amendment) (Jersey) Law 200- are compatible with the Convention Rights.

(Signed) **Senator W. Kinnard**

REPORT

At present the arrangements for fixing the hours of summertime in Jersey are set out in the Summer Time (Jersey) Law 1972. The period of summertime is the Sunday after the third Saturday in March and it continues until the Sunday after the fourth Saturday in October. These dates can be changed by Act of the States.

Summertime is one hour ahead of GMT, but the States may by Act resolve that during any part of the summertime it shall be two hours ahead of GMT. Using these powers the States for many years has by Act made provision for summertime which has been the same as in the United Kingdom.

In January 2001, the European Council adopted the Ninth Directive on Summertime which recently completed Parliamentary scrutiny. The effect of the Directive is that Member States will adopt a common date and time for the end of the summertime period. Thus summertime, *i.e.* the period of the year during which clocks are put forward by one hour compared with the rest of the year, will begin at 1.00 a.m. GMT on the last Sunday in March and end at 1.00 a.m. GMT on the last Sunday October. For the first time, the Directive runs for an unspecified period, to be reviewed after five years. It was incumbent on Member States to implement the Directive by 31st December 2001.

The Directive does not deal with the number of hours ahead of GMT. It is assumed that the clocks will go forward by sixty minutes during the summertime period and therefore the same time differences will continue to apply throughout the year. In other words there will be no difference in the time variations between Member States as they presently exist.

The Directive does not apply to Jersey, as it does not fall within Protocol 3.

Whilst Jersey could continue to utilise the existing power under the 1972 Law and invite the States to make an Act each year, the Legislation Committee thinks it desirable to amend the 1972 Law so as to provide for a long stop summertime period consistent with the Directive, but reserving the power of the States by Act to select another period. This would be the effect of the draft Law which would save the Law Draftsman, the Committee and the States the time and work involved each year in producing the necessary Act of the States. The draft Law therefore substitutes for Article 1(2) of the 1972 Law the permanent provision that the period of summertime is the period beginning at one o'clock, Greenwich Meantime, in the morning of the last Sunday in March, and ending at one o'clock, Greenwich Meantime, in the morning of the last Sunday in October. This provision remains subject to Article 2 of the 1972 Law which empowers the States, should it wish to do so, to select different dates and/or times from those applicable in the United Kingdom.

Financial/manpower statement

This draft Law has no implications for the financial or manpower resources of the States.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Committee in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 25th January 2002 the Legislation Committee made the following statement before Second Reading of this projet in the States Assembly -

In the view of the Legislation Committee the provisions of the Draft Summer Time (Jersey) Law 200- are compatible with the Convention Rights.

Explanatory Note

The effect of this draft Law would be to provide that, from 2003 onwards, the period during which summer time shall apply shall be from 1 a.m. Greenwich Mean Time on the last Sunday in March until 1 a.m. Greenwich Mean Time on the last Sunday in October in every year. The current provisions in that Law are that the period during which summer time shall apply is from 2.00 o'clock Greenwich Mean Time in the morning of the third Sunday in March, ending at 2.00 o'clock Greenwich Mean Time in the morning of the fourth Sunday in October.

The amendment does not affect the power of the States, by Act, to fix a different period in any particular year.

SUMMER TIME (AMENDMENT) (JERSEY) LAW 200-

A LAW to amend the Summer Time (Jersey) Law 1972; sanctioned by Order of Her Majesty in Council of the

(Registered on the day of 200-)

STATES OF JERSEY

The day of 200-

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

ARTICLE 1

For Article 1(2) of the Summer Time (Jersey) Law 1972^[1] there shall be substituted the following paragraph -

“(2) Subject to Article 2 of this Law, the period of summer time for the purposes of this Law is the period beginning at one o’clock, Greenwich mean time, in the morning of the last Sunday in March, and ending at one o’clock, Greenwich mean time, in the morning of the last Sunday in October.”.

ARTICLE 2

This Law may be cited as the Summer Time (Amendment) (Jersey) Law 200- and shall come into force on the first day of January 2003.

^[1] Volume 1970-1972, page 273.