

STATES OF JERSEY



Jersey

DRAFT STATES OF JERSEY (AMENDMENT No. 10) LAW 202-

Lodged au Greffe on 3rd August 2021
by the Chief Minister
Earliest date for debate: 14th September 2021

STATES GREFFE



Jersey

DRAFT STATES OF JERSEY (AMENDMENT No. 10) LAW 202-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Deputy Assistant Chief Minister has made the following statement –

In the view of the Deputy Assistant Chief Minister, the provisions of the Draft States of Jersey (Amendment No. 10) Law 202- are compatible with the Convention Rights.

Signed: **Senator L.J. Farnham**
Deputy Assistant Chief Minister

Dated: 2nd August 2021

REPORT

Background

On 3rd March 2021 the States Assembly approved [P.137/2020](#) – Migration Control Policy. Part of this proposition was:

to request the Chief Minister to bring forward amendments to the States of Jersey Law 2005 to require the Council of Ministers to develop, by the end of December 2021, a common policy on population (as outlined in 'Migration and Population Data' ([P.120/2020](#)), adopted as amended by the Assembly on 4th November 2020) that is reviewed and updated annually based on the prior year's population growth and that includes annually updated infrastructural, educational, health-related, environmental and social requirements of any projected population growth;

Provisions in the draft Law

This draft Law, if adopted, would further amend Article 18 of the [States of Jersey Law 2005](#) to require the Council of Ministers to discuss and agree a common population policy, on a regular basis and at least once per year.

A 'common' population policy relates to a joint population policy that is discussed and agreed by the Council of Ministers.

On 4th November 2020 the States Assembly adopted an amended P.120/2020 – Migration and Population Data, and the Chief Minister is committed to lodging a common population policy for debate by the end of December 2021.

As Deputy Perchard raised in P.120/2020 it is important that relevant data and statistics on population are included in the considerations and planning of the common population policy, and whilst the Chief Minister gives assurances that this will be done it is not normal practice to include the level of detail of the data that will be considered and reported on within primary legislation.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of this draft Law.

Human Rights

The draft Law has been reviewed by the Law Officers' Department to ensure compliance with the European Convention on Human Rights, and it was determined that, due to the nature of the amendments made, the draft Law does not give rise to any human rights issues. There is therefore no separate Human Rights Note appended to this report.

EXPLANATORY NOTE

This draft Law, if adopted, would further amend Article 18 of the States of Jersey Law 2005 to require the Council of Ministers to discuss and agree a common population policy, on a regular basis to be at least once per year.

Article 1 of the Law makes the amendment. *Article 2* gives the title by which the Law may be cited, and provides for it to commence on the day after registration.



Jersey

DRAFT STATES OF JERSEY (AMENDMENT No. 10) LAW 202-

A **LAW** to amend further the [States of Jersey Law 2005](#).

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

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

1 Article 18 (Council of Ministers) of the [States of Jersey Law 2005](#) amended

In Article 18(2) of the [States of Jersey Law 2005](#), after sub-paragraph (e) there is inserted –

“(ea) discussing and agreeing, on a regular basis and at least annually, their common policy on population;”.

2 Citation and commencement

This Law may be cited as the States of Jersey (Amendment No. 10) Law 202- and comes into force on the day after it is registered.