

PROJET DE LOI (200-) (AMENDEMENT) AU SUJET DES CENTENIERS ET OFFICIERS DE POLICE

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ETATS DE 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 Projet de Loi (200-) (Amendement) au sujet des Centeniers et Officiers de Police are compatible with the Convention Rights.

(Signed) **Senator W. Kinnard**

REPORT

The purpose of this *projet de loi* is to give effect to one of the recommendations of the Report of the Working Party on Parish Assemblies presented to the States by the Legislation Committee on 4th December 2001 [R.C.38/2001].

Amongst many other matters, the Working Party considered the process whereby Constables' Officers were elected by the electors of the relevant *Vingtaine* and not (as in the case with a *Vingtenier*) by the electors of the Parish as a whole. The title 'Vingtenier', ironically, might suggest the opposite. The Working Party was unable to see any merit in confining the electoral mandate of Constables' Officers to those members of the Parish Assembly who resided in a particular *Vingtaine*. The responsibilities of the Officer are to the Parish as a whole. The electoral mandate of such an Officer ought to reflect this. The Working Party went on to recommend that, whilst Constables' Officers should continue to be elected at Parish Assembly level (*en Assemblée Paroissiale*), the full Assembly should be eligible to vote.

The Report of the Working Party was the subject of wide consultation. This recommendation met with broad approval. The *projet de loi* would make amendments to the *Loi (1853) au sujet des centeniers et officiers de police* necessary to give effect to that recommendation.

Financial/manpower implications

This *Projet de Loi* 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 5th December 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 *Projet de Loi (200-) (Amendement) au sujet des Centeniers et Officiers de Police* are compatible with the Convention Rights.

Explanatory Note

The object of this draft Law is to amend the Centeniers and Police Officers Law 1853 to provide that a Connétable's officers are to be chosen by the full Parish Assembly instead of by the electors of the relevant vingtaine.

[TRANSLATION]

CENTENIERS AND POLICE OFFICERS (AMENDMENT) LAW 200-

A LAW to amend further the Centeniers and Police Officers Law 1853; sanctioned by Order of Her Most Excellent 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 3 of the Centeniers and Police Officers Law 1853, as amended (hereinafter referred to as the “principal Law”), there shall be substituted the following Article -

“ARTICLE 3

The Connétable’s Officers shall be elected in the Parish Assembly by the residents of the Parish.”.

ARTICLE 2

Article 3 of the principal Law, as substituted by this Law, shall not apply to any election in which the first steps, but not the final steps, have been taken when this Law comes into force; instead, Article 3 of the principal Law, as in force before that substitution, shall continue to apply to such an election.

ARTICLE 3

This Law may be cited as the Centeniers and Police Officers (Amendment) Law 200- and shall come into force on the seventh day following its registration.

LOI (200-) (AMENDEMENT) AU SUJET DES CENTENIERS ET OFFICIERS DE POLICE

LOI pour modifier en plus la Loi (1853) au sujet des centeniers et officiers de police; confirmée par Ordre de Sa Majesté en Conseil en date du

(Enregistré le jour de 200-)

AUX ETATS DE L'ILE DE JERSEY

L'An 200-, le jour de

LES ETATS, moyennant la sanction de Sa Très Excellente Majesté en Conseil, ont adopté la Loi suivante -

ARTICLE 1

A l'Article 3 de la Loi (1853) au sujet des centeniers et officiers de police, telle que ladite Loi a été modifiée^[1] (ci-après désignée "la Loi principale"), sera substitué l'Article suivant -

“ARTICLE 3

Les Officiers du Connétable seront élus en Assemblée Paroissiale par les habitants de la paroisse.”.

ARTICLE 2

L'Article 3 de la Loi principale,¹ dans la forme substituée par la présente Loi, ne s'appliquera à aucune élection dont le processus aura été commencé, mais pas terminé, avant l'entrée en vigueur de la présente Loi; par contre, l'Article 3 de la Loi principale, dans la forme en vigueur avant ladite substitution continuera à s'appliquer à une telle élection.

ARTICLE 3

La présente Loi pourra être citée sous le titre de "Loi (200-) (Amendement) au sujet des centeniers et officiers de police"; elle entrera en vigueur le septième jour après son enregistrement.

^[1] Tomes I-III, page 200.