

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 3rd NOVEMBER 2015**

**Question**

Will H.M. Attorney General advise members whether the Telecommunications (Jersey) Law 1972 or the Telecommunications (Jersey) Law 2002 limited, or limits, the rights of employees of Jersey Telecoms to sue their employer for breach of contract or tort?

**Answer**

Both Laws include Articles which relate to the exclusion or limitation of liability.

The Telecommunications (Jersey) Law 1972 (now repealed) prohibited proceedings in contract or tort against the Board for a failure to provide services, delays in providing services, interruption or restriction of services or an error or omission from a directory for use in connexion with a service. No civil liability could arise, except at the suit of the Board, against officers or servants of the Board for any loss or damage in the case of which liability of the Board was excluded.

The Telecommunications (Jersey) Law 2002 provides that the States, the Minister for Economic Development, the Chief Minister and a person carrying out activities on behalf of one of the Ministers, are not liable for damages for anything done or omitted in the discharge of functions under the Law unless it is shown that the act or omission was in bad faith.

Neither of these limitations on liability limited or limits the rights of employees of Jersey Telecom to sue their employer for breach of contract or tort.