



Jersey

CONNÉTABLES (MISCELLANEOUS PROVISIONS) (JERSEY) LAW 2012

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CONNÉTABLES (MISCELLANEOUS PROVISIONS) (JERSEY) LAW 2012

A **LAW** to repeal the policing functions of the Connétables, to empower a Procureur du Bien Public to deputise for a Connétable in certain circumstances, to remove certain other functions from the Connétables and to make ancillary and consequential amendments.

Commencement [[see endnotes](#)]

1 Interpretation

In this Law “policing function” means any of the following powers or duties, at customary law or under any enactment, exercisable by a Connétable –

- (a) keeping the peace;
- (b) opposing and arresting wrongdoers and bringing them to justice;
- (c) for the purpose of exercising the function in paragraph (a) or (b) –
 - (i) searching, examining or investigating, or authorizing a search, examination or investigation of, property of any description or a person,
 - (ii) charging a person with an offence,
 - (iii) arresting a person,
 - (iv) granting bail,
 - (v) conducting a parish hall inquiry into an allegation that an offence has been committed, including the levying of a fine summarily,
 - (vi) presenting a person charged with an offence before a court, and
 - (vii) discharging functions incidental or ancillary to any of the actions referred to in this paragraph.

2 Abrogation of customary law relating to policing functions of Connétables

The customary law is abrogated to the extent that it provides for the exercise of any policing function by a Connétable.

3 Supervisory role of the Connétables

Nothing in this Law shall be taken to derogate in any way from –

- (a) the responsibility of the Connétable of a parish at customary law or under any enactment to supervise the Honorary Police of the parish; and
- (b) the powers and duties of the Connétable associated with the discharge of that responsibility.

4 Circumstances in which Connétables' functions are exercisable by Procureur du Bien Public

- (1) In the event of the Connétable of a parish –
 - (a) being unable to discharge the functions of office for any reason including, without prejudice to the generality of the foregoing, illness or injury;
 - (b) being absent from Jersey except where the absence is for 7 days or less and the Connétable informs either or both of the Procureurs du Bien Public of the parish that the Connétable will discharge the functions of office during that period of absence; or
 - (c) no longer holding office for any reason pending that office being filled in accordance with any other enactment,

the functions of the Connétable, while such inability, absence or gap in office continues, shall be discharged by the senior of the 2 Procureurs du Bien Public of the parish, as determined in accordance with paragraph (4), except where paragraph (2) or (3) applies.

- (2) Instead of the senior of the 2 Procureurs du Bien Public, the other Procureur du Bien Public may, with the consent of the Attorney General discharge any or all of the functions of the Connétable under this Article.
- (3) If the senior of the 2 Procureurs du Bien Public is unable, for any reason, to discharge any or all of the functions of the Connétable under this Article the other Procureur du Bien Public shall discharge the functions that the senior Procureur is unable to discharge.
- (4) For the purposes of this Article, the seniority of the 2 Procureurs du Bien Public shall be determined by –
 - (a) their respective seniority in office;
 - (b) if that seniority cannot be distinguished, their respective periods of continuous service in the relevant parish; or
 - (c) if seniority in office and period of service cannot be distinguished, their respective seniority in age.
- (5) For the purposes of this Article “functions of the Connétable” or “function of office” do not include any of the following functions –
 - (a) attending the States Assembly as a member of the States of Jersey;
 - (b) acting as a member of the Supervisory Committee within the meaning of the [Rates \(Jersey\) Law 2005](#);
 - (c) acting as a member of the Comité des Connétables; and
 - (d) anything incidental to any of the above functions.

- (6) The customary law is abrogated to the extent that it provides for a Chef de Police of a parish to deputise for the Connétable of the parish.
- (7) Any function under any other enactment relating to the appointment of a person to the office of Chef de Police of a parish by the Connétable shall be exercised by the Procureur du Bien Public under this Article only after consultation with the Attorney General.
- (8) Any function under any other enactment relating to the removal of a person from the office of the Chef de Police of a parish by the Connétable shall be exercised by a Procureur du Bien Public under this Article only with the consent of the Attorney General.
- (9) This Article is without prejudice to Article 20 of the [Elections \(Jersey\) Law 2002](#).¹

5 Regulations concerning the functions of the Connétables

- (1) The States may by Regulations amend any enactment so as to –
 - (a) repeal any provision that confers a policing function on a Connétable;
 - (b) remove any policing function from a Connétable and confer it instead on a Centenier or, specifically, on the Chef de Police of a parish; and
 - (c) repeal any provision that confers a function on the Chef de Police of a parish, if such function would otherwise be exercisable by a Procureur du Bien Public under Article 4;
 - (d) remove any function from a Chef de Police that, had the function been vested in a Connétable, would be exercisable by a Procureur du Bien Public under Article 4 and confer it instead on a Connétable or Procureur du Bien Public, or both;
 - (e) remove any function from a Chef de Police that is exercisable on behalf of a Connétable, if such function would otherwise be exercisable by a Procureur du Bien Public under Article 4, and confer it instead on the Procureur du Bien Public as being exercisable on behalf of the Connétable.
- (2) Regulations made under this Article may contain such transitional, consequential, incidental, supplementary or savings provisions as the States think fit.

6 Citation

This Law may be cited as the Connétables (Miscellaneous Provisions) (Jersey) Law 2012.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Connétables (Miscellaneous Provisions) (Jersey) Law 2012	L.30/2012	1 August 2014 (R&O.80/2014)
Elections (Miscellaneous Amendments) (Jersey) Law 2021	L.19/2021	20 January 2022

Table of Renumbered Provisions

Original	Current
3	spent, omitted
4	3
5	4
6	spent, omitted
7	5
8	6
Schedules 1 and 2	spent, omitted

Table of Endnote References

¹ Article 4(9) *amended by L.19/2021*