

**Jersey Law 2/1966**

**“STATES OF JERSEY LAW, 1966”,**

COMFIRMÉ PAR

**Ordre de Sa Majesté en Conseil**

en date du 31 décembre 1966.

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*(Enregistré le 11 mars 1966).*

**“STATES OF JERSEY LAW, 1966”,**

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**A LAW** to codify, with sundry amendments, the Law regarding the constitution, procedure and Committees of the States of Jersey, to declare and define the powers, privileges and immunities of the States, and to make provision in relation to certain ancillary matters, sanctioned by Order of Her Majesty in Council of the

**31st day of JANUARY, 1966.**

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*(Registered on the 11th day of March, 1966).*

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**STATES OF JERSEY.**

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The 12th day of October, 1965.

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

*PART I*

CONSTITUTION OF THE STATES

ARTICLE 1

**CONSTITUTION OF THE STATES**

- (1) The States of Jersey are constituted as follows –  
the Bailiff, who is the President ;

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the Lieutenant-Governor ;

twelve Senators, elected in manner provided by this Law ;

the Constables of the twelve Parishes of the Island, who are members of the States by virtue of their office ;

twenty-eight Deputies, elected in manner provided by this Law ;

the Dean of Jersey, the Attorney General and the Solicitor General.

(2) All members of the States have the right to speak in the Assembly but, subject to paragraph (2) of Article 21 of this Law, only the Senators, Constables and Deputies (in this Law referred to as “the elected members of the States”) have the right to vote.

## ARTICLE 2

### **OFFICERS OF THE STATES**

The officers of the States are the Greffier of the States who is the clerk of the States, the Deputy Greffier of the States who is the clerk-assistant of the States, the Viscount who is the executive officer of the States.

## ARTICLE 3

### **PRESIDENCY IN ABSENCE OF BAILIFF AND DEPUTY BAILIFF**

If both the Bailiff and the Deputy Bailiff are unable to preside at a meeting of the States, such elected member or officer of the States as the Bailiff shall choose, shall preside at the meeting and, subject to any standing orders, anything authorized or required to be done by the Bailiff

while presiding at a meeting of the States may or shall be done by the person so chosen while presiding at the meeting in question.

#### ARTICLE 4

### CONSTITUENCIES

(1) For the purpose of the election of Senators, the Island shall be a single constituency.

(2) For the purpose of the election of Deputies, the Island shall be divided into the constituencies mentioned in the first column of the First Schedule to this Law and each such constituency shall return the number of Deputies mentioned in relation thereto in the second column of the said Schedule.

#### ARTICLE 5

### TERM OF OFFICE

(1) Senators shall be elected for a term of six years and, in every third year, six Senators shall retire on their places being filled by an ordinary election.

(2) Deputies shall be elected for a term of three years and shall retire on their places being filled by an ordinary election.

#### ARTICLE 6

### QUALIFICATIONS FOR OFFICE

A person shall, unless disqualified by virtue of this Law or any other enactment, be qualified to be elected and to be a Senator or a Deputy if he is of full age and a British subject who –

- (a) was born in the Island ; or
- (b) has, during the two years preceding the day of election, been ordinarily resident in the Island.

## ARTICLE 7

**OATH OF OFFICE**

The oath of office of Senators and Deputies shall be in the form set out in the Second Schedule to this Law.

## ARTICLE 8

**DISQUALIFICATION FOR OFFICE**

(1) Subject to the provisions of this paragraph, a person shall be disqualified for being elected or for being a Senator or a Deputy if –

- (a) he holds any paid office or other place of profit under the Crown ;
- (b) he is a paid officer in the full-time service of the States or any administration of the States ;
- (c) he is a paid officer in the full-time service of any parochial authority ;
- (d) he is under twenty-one years of age ;
- (e) he is a patient at an institution maintained by virtue of the “Loi (1890) sur l’Asile Public pour les Aliénés” ;<sup>1</sup>
- (f) he has a curator of his person or his property ;
- (g) he has an attorney without whom he may not act in matters real or personal ;
- (h) he has become bankrupt or made a composition or arrangement with his creditors ;

<sup>1</sup> Tomes IV–VI, page 90.

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- (j) he has been convicted of an offence under Article 50 of this Law ;
- (k) he has, within the seven years immediately preceding the date of his election, or since his election, been convicted anywhere in the Commonwealth of any offence and ordered to be imprisoned for a period of not less than three months without the option of a fine :

Provided that –

- (i) the disqualification attaching to a person by reason of his having become bankrupt shall cease on the date of the conclusion of the proceedings or, if on the conclusion of the proceedings he has not paid his debts in full, on the expiration of five years from the date of the conclusion of the proceedings ;
- (ii) the disqualification attaching to a person by reason of his having made a composition or arrangement with his creditors shall cease, if he pays his debts in full, on the date on which the payment is completed, or, in any other case, on the expiration of five years from the date on which the terms of the composition or arrangement are fulfilled.

(2) A person seeking election as a Senator or Deputy shall, at the time of his nomination, be required to make a declaration in writing that he is qualified for being elected by virtue of this Law or any other enactment, and any person who knowingly makes a false declaration shall be guilty of an offence and shall be liable to a fine not exceeding two hundred pounds.

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## ARTICLE 9

**DISQUALIFICATION ON ELECTED MEMBERS FOR HOLDING  
OFFICE IN PART-TIME SERVICE OF THE STATES**

A paid officer in the part-time service of the States who becomes an elected member of the States shall cease to hold such office on taking oath of the office to which he is elected, and an elected member of the States shall be disqualified for appointment to any paid office in the part-time service of the States.

## ARTICLE 10

**VALIDITY OF ACTS DONE BY UNQUALIFIED PERSONS**

The acts and proceedings of any person elected to the States and acting as a member of the States shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

## ARTICLE 11

**RE-ELECTION**

A person holding the office of Senator or Deputy shall, unless he is not qualified or is disqualified, be eligible for re-election.

## ARTICLE 12

**ELECTIONS**

(1) An ordinary election for Senators shall be held in the second week of the month of November in every third year and an ordinary election for Deputies shall be held in the second week of the month of December in every third year.

(2) The first of the ordinary elections required to be held in pursuance of this Law shall be held in the year nineteen hundred and sixty-six.

## ARTICLE 13

**RESIGNATION**

A Senator or a Deputy may at any time resign his office by notice in writing signed by him and delivered to the Bailiff, who shall inform the States of such resignation at the next sitting of the Assembly, whereupon the resignation shall take effect.

## ARTICLE 14

**FILLING OF CASUAL VACANCIES**

(1) On a casual vacancy occurring in the office of Senator or Deputy, whether by death, resignation or otherwise, information of the fact shall be given by the Bailiff to the Attorney General, who shall forthwith bring the matter to the notice of the Royal Court in order that the Court may declare the office to be vacant.

(2) Where the Royal Court has declared the office of Senator or Deputy to be vacant, otherwise than by effluxion of time, an order shall be made in pursuance of Article 3 of the Public Elections Law<sup>2</sup> for an election to fill the vacancy to be held within thirty days from the date of the declaration :

Provided that where the vacancy occurs after the thirty-first day of March immediately preceding the ordinary day of retirement from the office in which the vacancy occurs, an election shall not be held to fill the vacancy, but the vacancy shall be filled at the next ordinary election.

(3) Where more than one casual vacancy in the office of Senator is filled at the same election, the person elected by the smallest number of votes shall be deemed elected in place of the Senator who would regularly have first retired, and the person elected by the next smallest number of votes shall be deemed elected in place of the Senator who would regularly have next retired, and so with respect to others ; and

<sup>2</sup> Tomes IV–VI, page 142.

if there has not been a contested election, or if any doubt arises, the order of retirement shall be determined by lot.

(4) Where an election to fill one or more casual vacancies in the office of Senator is combined with an ordinary election of Senators, the following provisions shall apply –

(a) where the election is contested –

- (i) the persons who are elected by the smallest number of votes shall be deemed elected to fill the casual vacancies ;
- (ii) in the case of an equality of votes between the persons who are elected by the smallest number of votes, the persons who shall be deemed elected to fill the casual vacancies shall be determined by lot ;
- (iii) if the persons elected to fill the casual vacancies will hold office for different periods, the person elected by the smallest number of votes, or, if the votes are equal, such person as is determined by lot, shall be deemed elected to hold office for the shorter period ;

(b) where the election is not contested, the persons who shall be deemed elected to fill the casual vacancies shall be determined by lot.

(5) Where under this Article any question is required to be determined by lot, the lots shall be drawn at the sitting of the Royal Court convened in pursuance of Article 3 of the Public Elections Law<sup>3</sup> for the taking of oath of office by the persons elected in the election.

<sup>3</sup> Tomes IV–VI, page 142.

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ARTICLE 15

**TERM OF OFFICE OF PERSONS FILLING CASUAL  
VACANCIES**

A person elected to fill a casual vacancy in the office of Senator or Deputy shall hold office until the date on which the person in whose place he is elected would regularly have retired, and he shall then retire.

*PART II*

PROCEDURE IN THE STATES

ARTICLE 16

**MEETINGS OF THE STATES**

(1) Ordinary sessions of the States shall be held during such periods of the year and on such number of days in each period as the States shall by standing order determine.

(2) Meetings of the States in extraordinary session may be convened by the Bailiff whenever he considers that the public business so requires and shall be convened by him on the requisition of seven or more elected members of the States.

(3) Meetings of the States, either in ordinary session or extraordinary session, shall be held on such days as the Bailiff may in his discretion determine, and meetings of the States in extraordinary session may be held during periods of the year allocated for the holding of ordinary sessions.

(4) Meetings of the States shall be convened by the Bailiff in such manner as the States shall by standing order determine.

## ARTICLE 17

**DUTY OF CONSTABLE IN EVENT OF INABILITY TO ATTEND MEETING OF THE STATES**

(1) Where a Constable is unable to attend a meeting of the States, he shall designate a member of the honorary police of his parish to attend and the member of the honorary police so designated shall be entitled to act in the place of the Constable at that meeting of the States.

(2) In the designation of members of the honorary police under this Article, preference shall be given to member, first, in accordance with their seniority of rank and, secondly, in accordance with the length of their service in the honorary police of the parish.

## ARTICLE 18

**QUORUM**

The States shall be lawfully constituted and may conduct any business which it is in their power to conduct if there are not less than twenty-four elected members present.

## ARTICLE 19

**PENALTY FOR FAILURE TO ATTEND MEETINGS OF THE STATES**

(1) Where, by reason of an insufficiency in the number of elected members present at a meeting of the States, the States are unable to conduct their business, the elected members failing to attend the meeting shall each be liable to a fine of one pound, which shall be levied by the Viscount, unless at that meeting or the meeting next following, an excuse for their failure to attend is offered to and accepted by the States.

(2) Absence from the Island or illness shall be a sufficient excuse for failure to attend a meeting of the States.

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(3) Fines levied under this Article shall be paid into the General Revenues of the States.

## ARTICLE 20

### **NAMES OF MEMBERS PRESENT TO BE RECORDED**

The names of members present at a meeting of the States shall be recorded.

## ARTICLE 21

### **DECISIONS ON QUESTIONS**

(1) Subject to the provisions of any enactment (including this Law), whether passed before or after the commencement of this Law, all Acts of the States, and all matters coming or arising before the States, shall be done and decided by a majority of the members present and voting thereon.

(2) The Bailiff or Deputy Bailiff while presiding at a meeting of the States shall not vote unless on any question the votes are equally divided, in which case he shall have and shall exercise a casting vote.

(3) Notwithstanding the provisions of Article 3 of this Law, an elected member or officer of the States appointed under that Article to preside at a meeting of the States shall have neither an original nor a casting vote and if, on any matter before the States when such person is presiding, the votes are equally divided, the question shall be determined in the negative.

## ARTICLE 22

### **BAILIFF'S POWER OF DISSENT**

The Bailiff has power to enter his dissent to any resolution of the States susceptible of implementation if he is of the opinion that the States are not competent to pass the resolution and, where the Bailiff exercises

the power aforesaid, the resolution shall immediately be transmitted to Her Majesty and, in the meantime and unless the consent of Her Majesty is obtained thereto, the resolution shall be of no effect.

## ARTICLE 23

### **LIEUTENANT-GO VERNOR'S POWER OF VETO**

(1) The Lieutenant-Governor has no power of veto in any resolution of the States susceptible of implementation but only in respect of such matters as may concern the special interest of Her Majesty.

(2) Effect shall not be given to any resolution of the States passed when the Lieutenant-Governor is not present, unless application has first been made to him to know whether he chooses to exercise his power of veto.

(3) In this Article, references to resolutions of the States exclude references to Acts requiring for their validity the sanction of Her Majesty in Council.

## ARTICLE 24

### **PROVISIONS REGARDING THE LODGING OF PROPOSITIONS AU GREFFE**

(1) The following propositions are required to be lodged au Greffe, namely –

- (a) propositions for the passing of Acts which require for their validity the sanction of Her Majesty in Council ;
- (b) propositions for the passing of Regulations which, by virtue of an Order of Her Majesty in Council or of an Act sanctioned by Her Majesty in Council, do not require for their validity the sanction of Her Majesty in Council ;
- (c) propositions to which this Article is by any enactment expressed to apply.

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(2) A proposition shall also be required to be lodged au Greffe on the request of a member of the States made on the submission of the proposition to the States.

(3) No proposition required under paragraph (1) of this Article to be lodged au Greffe shall be debated before it is lodged:

Provided that this paragraph shall not apply to any proposition to which, by virtue of any enactment, immediate effect may be given.

(4) No proposition which has been lodged au Greffe shall be debated or passed by the States unless it has been so lodged for at least fourteen days, except in the case of an emergency in which the safety of the Island may happen to be immediately concerned.

(5) Where any proposition required under paragraph (1) of this Article to be lodged au Greffe is amended and the amendment has not been lodged for the time required by paragraph (4) of this Article, the provisions of the said paragraph (4) shall apply in relation to the proposition as amended :

Provided that this paragraph shall not apply where, in the opinion of the Bailiff, the amendment does not involve any change in the substance of the proposition.

(6) Where any Act is submitted for the sanction of Her Majesty in Council, the Greffier of the States shall certify thereon that the proposition for the passing of the Act has been lodged au Greffe for the time required by this Article or that, for special reasons to be stated in the certificate, this Article has not been or could not be complied with.

## ARTICLE 25

### MINUTES

Minutes of the proceedings of a meeting of the States shall be drawn up and entered in a book kept for that purpose by the Greffier of the States.

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## ARTICLE 26

**VACANCY ETC. NOT TO INVALIDATE PROCEEDINGS**

The proceedings of the States shall not be invalidated by any vacancy among their number or by any defect in the election or qualification of any member thereof.

## ARTICLE 27

**STANDING ORDERS**

(1) Subject to the provisions of this Law, the States may make standing orders for any purpose for which standing orders may be made under this Law and shall make standing orders for the regulation of their proceedings and business.

(2) The provisions of paragraph (1) of Article 3 of the Official Publications (Jersey) Law, 1960<sup>4</sup> in so far as they require the Greffier of the States to publish in the Jersey Gazette a notice relating to the passing of enactments, shall not apply to standing orders.

*PART III*

## COMMITTEES OF THE STATES

## ARTICLE 28

**CONSTITUTION OF COMMITTEES**

(1) Committees shall be appointed by the States and shall each consist of a President and other members of the States.

(2) The term of office and number of members of a Committee shall be such as the States may determine either –

<sup>4</sup> Tome 1957–1960, page 572.

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- (a) generally by standing order as respects Committees mentioned in that order ; or
- (b) notwithstanding the provisions of any such order, at the time of the appointment of the Committee or at any time thereafter.

(3) Notwithstanding the provisions of paragraph (2) of this Article and of Article 35 of this Law, in the event of a vacancy in the office of President of a Committee, the Bailiff shall give notice thereof to the States as soon as may be thereafter and the vacancy shall be filled not later than the Meeting of the States next following the giving of such notice.

## ARTICLE 29

### **POWER TO TRANSFER FUNCTIONS ETC**

(1) The States may by Act provide for the transfer to any Committee of any functions theretofore exercisable by another Committee or for the amalgamation of Committees, and for determining the name by which any Committee shall be described.

(2) An Act of the States under this Article may contain such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the Act, including provisions –

- (a) for the transfer of any rights and liabilities enjoyed or incurred by any Committee in connexion with any functions transferred ;
- (b) for the carrying on and completion by or under the authority of the Committee to which any functions are transferred of anything commenced by or under the authority of a Committee before the date on which the Act takes effect ;

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- (c) for such adaptations as may be necessary, for the purposes of the Act, of the enactments relating to any Committee which is renamed or to any functions transferred, or of any instrument, contract or legal proceedings made or commenced before the date on which the Act takes effect.

## ARTICLE 30

### **COMMITTEES OF INQUIRY**

Where the States are of opinion that inquiry should be made into any definite matter of public importance, they may appoint a Committee to inquire into that matter, and may designate any Committee so appointed as a Committee of Inquiry for the purposes of Articles 41 to 46 inclusive and Article 49 of this Law.

## ARTICLE 31

### **VICE-PRESIDENT**

(1) Each Committee shall appoint one of its members to be Vice-President of the Committee.

(2) In the event of the absence of the President of a Committee or in the event of a vacancy in the office of President of a Committee, the functions of the President shall be exercised by the Vice-President of the Committee during such absence or until the vacancy is filled.

## ARTICLE 32

### **POWER OF COMMITTEES TO APPOINT MEMBERS TO SUB-COMMITTEES**

(1) Any Committee may appoint as members of a Sub-Committee of the Committee any persons, whether members of the States or not, and any person so appointed may exercise all the powers of a member of the Sub-Committee other than a power which involves the expenditure of public monies.

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(2) The term of office of persons appointed under this Article shall be such as the Committee may determine and the Committee may revoke any such appointment at any time.

#### ARTICLE 33

### **NAMES OF MEMBERS PRESENT TO BE RECORDED**

The names of the members present at a meeting of a Committee shall be recorded.

#### ARTICLE 34

### **MINUTES**

(1) The minutes of the proceedings of a meeting of a Committee shall be drawn up and entered in a book kept for that purpose by the Greffier of the States, and shall be signed at the same or an ensuing meeting of the Committee by the person presiding at the meeting.

(2) Until the contrary is proved, a meeting of a Committee in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and the members present at the meeting shall be deemed to have been duly qualified, and the Committee shall be deemed to have been duly constituted and to have had power to deal with matters referred to in the minutes.

#### ARTICLE 35

### **VACANCY ETC. NOT TO INVALIDATE PROCEEDINGS**

The proceedings of a Committee shall not be invalidated by any vacancy among its number or by any defect in the election or qualification of any member thereof.

## ARTICLE 36

**PROCEDURE OF COMMITTEES**

(1) The quorum of a Committee shall be one half of the total number of members of the Committee as determined by the States, any resulting fraction of one being regarded as one.

(2) In the event of the absence of the President and the Vice-President from any meeting of a Committee, the members present shall appoint one of their number to preside at the meeting.

(3) On any matter under consideration by a Committee, each member thereof, including the person presiding, shall have one vote and where the votes are equally divided the person presiding shall have a second or casting vote.

(4) Save as provided by the foregoing provisions of this Article, the States may make standing orders for the regulation of the procedure of Committees but subject thereto a Committee may regulate its own procedure.

*PART IV*

## POWERS, PRIVILEGES, IMMUNITIES AND OFFENCES.

## ARTICLE 37

**IMMUNITY FROM LEGAL PROCEEDINGS**

No civil or criminal proceedings may be instituted against any member of the States for words spoken before, or written in a report to, the States or a Committee, or by reason of any matter or thing brought by him therein by petition, bill, proposition or otherwise.

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## ARTICLE 38

**ENTRY TO STATES**

No stranger shall be entitled, as of right, to enter or to remain within the precincts of the States.

## ARTICLE 39

**REGULATION OF ADMISSION TO STATES**

(1) The Bailiff may issue such orders as he may in his discretion deem necessary for the regulation of the admittance of strangers to the precincts of the States.

(2) Copies of orders made under this Article shall be duly authenticated by the Greffier of the States and exhibited in a conspicuous position in the precincts of the States ; and such copies when so authenticated, and exhibited, shall be deemed to be sufficient notice to all persons affected thereby.

## ARTICLE 40

**POWER OF BAILIFF TO ORDER WITHDRAWAL FROM STATES**

The Bailiff may at any time order any stranger to withdraw from the precincts of the States.

## ARTICLE 41

**POWER OF COMMITTEE OF INQUIRY TO ORDER ATTENDANCE OF WITNESSES**

A Committee of Inquiry may, subject to the provisions of Article 46 of this Law, order any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

## ARTICLE 42

**ATTENDANCE TO BE NOTIFIED BY SUMMONS**

(1) Any order to attend to give evidence or to produce documents before a Committee of Inquiry shall be notified to the person required to attend or to produce the documents by a summons under the hand of the Greffier of the States issued by the direction of the President of the Committee.

(2) In every summons under paragraph (1) of this Article there shall be stated the time and place at which the person summoned is required to attend and the particular documents which he is required to produce ; and the summons shall be served by the Viscount on the person mentioned therein either by delivering to him a copy thereof or by leaving a copy thereof at his usual or last known place of abode.

## ARTICLE 43

**POWER TO ISSUE WARRANT TO COMPEL ATTENDANCE**

(1) If a person to whom a summons under Article 42 of this Law is directed does not attend before a Committee of Inquiry at the time and place mentioned therein, the President of the Committee shall report the fact to the Bailiff who may, on being satisfied that the summons was duly served or that the person to whom the summons is directed wilfully avoids service, issue a warrant to apprehend him and bring him before the Committee at a time and place to be stated in the warrant.

(2) A warrant issued under this Article shall be executed by the Viscount.

## ARTICLE 44

**WITNESSES MAY BE EXAMINED ON OATH**

A Committee of Inquiry may require that any facts, matters and things relating to the subject of inquiry before it be verified or otherwise

ascertained by the oral examination of witnesses, and may cause any such witnesses to be examined on oath, which the President of the Committee is hereby authorized to administer.

#### ARTICLE 45

### **OBJECTION TO ANSWER QUESTION OR TO PRODUCE PAPERS**

Subject to the provisions of Article 46 of this Law, where any person ordered to attend to give evidence or to produce any paper, book, record or document before a Committee of Inquiry refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the President of the Committee may report such refusal to the Bailiff with the reasons therefor, and the Bailiff shall thereupon either excuse the answering of such question or the production of such paper, book, record or document, or order the answering or production thereof.

#### ARTICLE 46

### **PRIVILEGES OF WITNESSES**

(1) Every person summoned to attend to give evidence or to produce any paper, book, record or document before a Committee of Inquiry shall be entitled, in respect of such evidence or the disclosure of any communication or the production of any such paper, book, record or document, to the same right or privilege as before a court of law.

(2) Except with the consent of the Lieutenant-Governor, no person summoned as aforesaid shall give evidence, or produce any paper, book, record or document relating to any naval, military or air force matter.

(3) An answer by a person to a question put by a Committee of Inquiry shall not, except in the case of a prosecution for perjury or of an offence against this Part of this Law, be admissible in evidence against him in any proceedings, civil or criminal.

## ARTICLE 47

**EVIDENCE OF PROCEEDINGS IN THE STATES OR ANY COMMITTEE NOT TO BE GIVEN WITHOUT LEAVE**

(1) Save as provided in this Part of this Law, no member or officer of the States, and no person employed to take minutes before the States or any Committee, shall give evidence elsewhere in respect of the contents of such minutes or of the contents of any document laid before the States or such Committee, as the case may be, or in respect of any proceedings or examination held before the States or such Committee, as the case may be, without the prior consent of the States or the Committee concerned, as the case may be.

(2) The consent of the States referred to in paragraph (1) of this Article may be given during periods of the year when the States are not in session, by the Bailiff or, in the absence or other incapacity of the Bailiff and the Deputy Bailiff, by the Greffier of the States.

## ARTICLE 48

**OFFENCES RELATING TO ADMITTANCE TO THE STATES**

Any person who being a stranger –

- (a) enters or attempts to enter the precincts of the States in contravention of any order of the Bailiff ; or
- (b) fails or refuses to withdraw from the precincts of the States when ordered to withdraw therefrom by the Bailiff ; or
- (c) contravenes any order made under this Part of this Law by the Bailiff regulating the admittance of strangers to the precincts of the States or any rule made by the Bailiff under standing orders ;

shall be guilty of an offence and shall be liable to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

## ARTICLE 49

**OTHER OFFENCES**

Any person who –

- (a) disobeys any order made by a Committee of Inquiry for attendance or for production of papers, books, records or documents, unless such attendance or production be excused as hereinbefore provided ; or
- (b) refuses to be examined before, or to answer any lawful and relevant question put by, a Committee of Inquiry unless such refusal be excused as hereinbefore provided ; or
- (c) offers to any member or officer of the States any bribe, fee, compensation, gift or reward in order to influence him in his conduct as such member or officer, or for or in respect of the promotion of or opposition to any petition, bill, proposition, matter or other thing submitted to or intended to be submitted to the States or any Committee ; or
- (d) assaults, obstructs, molests or insults any member of the States coming to, being within, or going from, the precincts of the States, or endeavours to compel any such member by force or menace to declare himself in favour of or against any matter pending or expected to be brought before the States or any Committee ; or
- (e) assaults, interferes with, molests, resists or obstructs any officer or servant of the States while in the execution of his duty or while proceeding to or from the States ; or
- (f) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the States or any Committee while the States or such Committee are sitting ;  
or

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- (g) presents to the States or a Committee any false, untrue, fabricated or falsified document with intent to deceive the States or such Committee ; or
- (h) publishes any false or scandalous libel on the States or a Committee ;

shall be guilty of an offence and shall be liable to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

#### ARTICLE 50

#### **ACCEPTANCE OF BRIBES BY MEMBERS OF THE STATES**

Any member of the States who accepts or agrees to accept or obtains or attempts to obtain for himself or for any other person any bribe, fee, compensation, reward or benefit of any kind for speaking, voting or acting as such member or for refraining from so speaking, voting or acting or on account of his having so spoken, voted or acted or having so refrained shall be guilty of an offence and shall be liable to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment.

#### ARTICLE 51

#### **MINUTES OF THE STATES AND COMMITTEES TO BE EVIDENCE**

A copy of any minutes of the States or a Committee signed by the Greffier of the States, shall be received in evidence without further proof.

## ARTICLE 52

**PENALTY FOR PRINTING FALSE COPY OF ENACTMENTS  
OR OTHER STATES' DOCUMENTS**

Any person who prints or causes to be printed a copy of any enactment or other document as purporting to have been printed by order or under the authority of the States, and the same is not so printed, or shall tender in evidence any such copy as purporting to be so printed knowing that the same was not so printed, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three years.

## ARTICLE 53

**PROTECTION OF PERSONS RESPONSIBLE FOR  
PUBLICATIONS AUTHORIZED BY THE STATES**

Any person, being a defendant in any civil or criminal proceedings instituted for or on account or in respect of the publication by such person or by his servant, by order or under the authority of the States, of any enactment or other document, may, on giving to the plaintiff or prosecutor, as the case may be, twenty-four hours written notice of his intention, bring before the court in which such proceedings are being taken a certificate under the hand of the Bailiff stating that the enactment or document in respect whereof such proceedings have been instituted was published by such person or by his servant by order or under the authority of the States, together with an affidavit verifying such certificate, and such court shall thereupon immediately stay such civil or criminal proceedings, and the same and every process issued therein shall be deemed to be finally determined.

## ARTICLE 54

**PUBLICATION OF PROCEEDINGS WITHOUT MALICE**

In any civil proceedings instituted for publishing any account or summary of or any extract from or abstract of any document published by order or under the authority of the States, or any proceedings of the States, if the court is satisfied that such account, summary, extract or

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abstract was published *bona fide* and without malice, judgment shall be entered for the defendant.

#### ARTICLE 55

### **EXERCISE OF JURISDICTION BY COURTS**

No person shall be subject to the jurisdiction of any court in respect of the exercise of any power conferred on or vested in him by or under this Part of this Law.

#### ARTICLE 56

### **POWERS OF VISCOUNT**

The Viscount shall, for the purposes of the enforcement of this Part of this Law and of the application of the provisions of the criminal law, have all the powers and enjoy all the privileges of a Centenier.

#### ARTICLE 57

### **AUTHORITY FOR PROSECUTIONS**

No prosecution for an offence under this Part of this Law shall be instituted except by or with the consent of the Attorney General.

#### *PART V*

#### GENERAL

#### ARTICLE 58

### **INTERPRETATION**

In this Law, unless the context otherwise requires –

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“the appointed day” means the day appointed by the Royal Court in pursuance of Article 3 of the Public Elections Law<sup>5</sup> for the taking of oath of office by the Senators and Deputies elected in the first ordinary election held in pursuance of this Law;

“Committee” means a committee of the States;

“Committee of Inquiry” means a committee appointed under Article 30 and designated as a Committee of Inquiry under that Article;

“the elected members of the States” has the meaning assigned thereto by paragraph (2) of Article 1;

“functions” includes powers and duties;

“the precincts of the States” means the States’ Chamber and any rooms provided for the use or accommodation of members of the States, and the galleries and places provided for the use or accommodation of strangers, members of the public and representatives of the press, and includes, while the States are meeting, those parts of the building giving direct access to the States’ Chamber;

“the Public Elections Law” means the “Loi sur les Elections Publiques”, confirmed by Order of Her Majesty in Council of the eighteenth day of May, 1897,<sup>6</sup> as amended by any subsequent enactment;

“standing order” means a standing order made by the States under this Law;

“stranger” means any person other than the Deputy Bailiff or member or officer of the States.

<sup>5</sup> Tomes IV–VI, page 142.

<sup>6</sup> Tomes IV–VI, page 141.

## ARTICLE 59

**SAVING OF POWERS**

Save as otherwise provided by this Law, nothing in this Law shall prejudice or affect the prerogatives, rights and privileges attaching to the office of Lieutenant-Governor, Bailiff, Deputy Bailiff, Dean, Attorney General, Solicitor General and Rector of a parish in existence immediately before the coming into force of this Law.

## ARTICLE 60

**REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS**

(1) The enactments mentioned in the first column of the Third Schedule to this Law are hereby repealed to the extent mentioned in the second column of that Schedule:

Provided that –

- (a) Senators elected in pursuance of the Assembly of the States (Jersey) Law, 1948,<sup>7</sup> for terms ending in the years nineteen hundred and sixty-nine and nineteen hundred and seventy-two shall be deemed to have been elected for those terms in pursuance of this Law;
- (b) nothing in this repeal shall affect any standing orders of the States in force on the appointed day; and
- (c) any Act under the Committees of the States (Jersey) Law, 1946,<sup>8</sup> as amended,<sup>9</sup> shall, insofar as it is in force on that day, continue in force and have effect as if passed under Article 29 of this Law.

<sup>7</sup> Tome 1946–1948, page 463.

<sup>8</sup> Tome 1946–1948, page 1.

<sup>9</sup> Tome 1954–1956, page 87.

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(2) On the occasion of the first ordinary election for Senators referred to in paragraph (2) of Article 12 of this Law the number of Senators to be elected shall be four and the following provisions shall apply –

- (a) where the election is contested –
  - (i) the two persons elected by the smallest number of votes shall hold office for a term of three years and the two persons elected by the largest number of votes shall hold office for a term of six years;
  - (ii) in the case of an equality of votes between any of the persons elected so that, under the foregoing clause, it is impossible to determine their respective terms of office, the question shall be determined by lot;
- (b) where the election is not contested, the terms of office of the persons elected shall be determined by lot;
- (c) paragraph (5) of Article 14 of this Law shall apply to the determination of any question by lot.

## ARTICLE 61

### **SHORT TITLE AND COMMENCEMENT**

(1) This Law may be cited as the States of Jersey Law, 1966.

(2) This Law shall come into force on the promulgation thereof so far as it relates to, and for the purposes of, the ordinary election referred to in paragraph (2) of Article 12 and shall come into force on the appointed day for all other purposes.

*SCHEDULES**FIRST SCHEDULE***(Article 4)****DEPUTIES' CONSTITUENCIES**

<u>Constituency</u>	Number of Deputies to be returned.
<hr/>	
Saint Helier –	
Cantons de Haut et de Bas de la Vingtaine de la Ville .....	4
Cantons de Bas et de Haut de la Vingtaine du Mont-au-Prêtre .....	4
Vingtaines du Rouge Bouillon, du Mont-à- l'Abbé et du Mont Cochon .....	4
Saint Saviour	
Vingtaine de la Petite Longueville .....	1
Vingtaine de Sous l'Eglise .....	1
Vingtaines de Maufant, de Sous la Hougue, des Pigneaux et de la Grande Longueville	1
Saint Clement .....	2
Saint Lawrence .....	2
Saint Brelade .....	2
Grouville .....	1
Saint Martin .....	1
Trinity .....	1
Saint John .....	1

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Saint Mary .....	1
Saint Peter .....	1
Saint Ouen .....	1

**SECOND SCHEDULE****(Article 7)****FORM OF OATH TO BE TAKEN BY SENATORS AND DEPUTIES**

You swear and promise before God that you will well and faithfully discharge the duties of (Senator) (Deputy); that you will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to Law; that you will uphold and maintain the laws, privileges, liberties and franchises of the Island, opposing whomsoever may wish to infringe the same; that you will attend the meetings of the States whenever you are called upon to do so; and generally that you will fulfil all the duties imposed upon you by virtue of the said office. All of which you promise to do on your conscience.

*THIRD SCHEDULE.***(Article 60)****ENACTMENTS REPEALED**

<u>Title.</u>	<u>Extent of repeal.</u>
Code of Laws confirmed by Order of His Majesty in Council of 28th March, 1771. <sup>10</sup>	(a) Under the title “Con-nétable” from the words “aussi bien que” in the first paragraph to the word “Ils” being the first word of the third paragraph;
	(b) the provisions under the titles “États” and “Greffiers”.
“Loi touchant le quorum des États”, confirmed by Order of Her Majesty in Council of 7th July, 1897; <sup>11</sup>	The whole Law.
“Loi (1902) déterminant les sessions périodiques des États”; <sup>12</sup>	The whole Law.
Committees of the States (Jersey) Law, 1946. <sup>13</sup>	The whole Law.
Assembly of the States (Jersey) Law, 1948. <sup>14</sup>	In Article 1, the definition of “the appointed day”,

<sup>10</sup> Code des Lois (2e édition), pages 72, 84 et 90 à 94.

<sup>11</sup> Tomes IV–VI, page 166.

<sup>12</sup> Tomes IV–VI, page 204.

<sup>13</sup> Tome 1946–1948, page 1.

<sup>14</sup> Tome 1946–1948, pages 463, 464 à 472, 473, 474 et 478.

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Articles 2 to 15 and  
Article 17, and the  
First, Second and  
Fourth Schedules.

Committees of the States  
(Amendment) (Jersey) Law,  
1954.<sup>15</sup>

The whole Law.

“Loi (1957) (Amendement)  
déterminant les sessions  
périodiques des États”.<sup>16</sup>

The whole Law.

**A.D. LE BROcq,**

*Greffier of the States.*

<sup>15</sup> Tome 1954–1956, page 87.

<sup>16</sup> Tome 1957–1960, page 151.