



Jersey

PROCUREURS DU BIEN PUBLIC (TERMS OF OFFICE) (JERSEY) LAW 2013

Arrangement

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PROCUREURS DU BIEN PUBLIC (TERMS OF OFFICE) (JERSEY) LAW 2013

A LAW to make provision as to the terms of office of Procureurs du Bien Public; and for related matters

<i>Adopted by the States</i>	<i>14th May 2013</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>10th July 2013</i>
<i>Registered by the Royal Court</i>	<i>19th July 2013</i>

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

1 Interpretation

In this Law, “Procureur” means Procureur du Bien Public.

2 Terms of office of Procureurs du Bien Public

- (1) In each parish, the term of office of one Procureur shall expire on 12th March 2014, and the term of office of the other Procureur shall expire on 9th September 2015, whether there are 2, one or no Procureurs in office immediately before 12th March 2014 or 9th September 2015.
- (2) After that, in each parish, in separate cycles of 3 years –
 - (a) the term of office of one Procureur shall expire on the second Wednesday of the month of March that falls 3 years after the month of March in which a previous term of office of a Procureur expired; and
 - (b) the term of office of the other Procureur shall expire on the second Wednesday of the month of September that falls 3 years after the month of September in which a previous term of office of a Procureur expired.
- (3) The Schedule applies to determine which term of office is to expire on 12th March 2014 and which is to expire on 9th September 2015, in the case where there are one or 2 Procureurs in office in a parish immediately before 12th March 2014.

- (4) For the purposes of this Article and the Schedule, if a Procureur is elected to fill a vacancy in the office of Procureur during the relevant term of office, the election of the Procureur shall be taken to have occurred at the start of that term of office.
- (5) However, paragraph (4) does not apply in reckoning aggregate time for the purpose of clause (a) or (b) of sub-paragraph (1) of paragraph 3 of the Schedule.
- (6) This Article and the Schedule shall have effect in relation to a term of office of a Procureur, even if the term would have expired on a different day if this Law had not been enacted.

3 Elections of Procureurs du Bien Public

An election of a Procureur shall be held on each day on which the term of office of a Procureur expires on or after 12th March 2014 and otherwise when a vacancy occurs in the office of Procureur.

4 Continuation in office pending election

- (1) Despite the expiry of a Procureur's term of office, the Procureur shall remain in office until the return date for the election of a Procureur held on that expiry.
- (2) The reference in paragraph (1) to the return date for an election of a Procureur is a reference to the date fixed by the Royal Court, pursuant to Article 17(2)(c) of the Public Elections (Jersey) Law 2002¹, for the person elected as Procureur to appear in the Royal Court to take his or her oath.

5 Regulations to amend expressions of time

The States may by Regulations amend any expression of time (including any date) in Article 2 or 3 or the Schedule.

6 Loi (1804) au sujet des assemblées paroissiales amended

Article 6 of the Loi (1804) au sujet des assemblées paroissiales² shall be repealed.

7 Public Elections (Jersey) Law 2002 amended

In Article 17(1) of the Public Elections (Jersey) Law 2002³, for the words beginning "or under" to the end of the paragraph there shall be substituted the words ", Article 3 of the Centeniers (Terms of Office) (Jersey) Law 2007⁴, Article 2 or 3 of the Connétables (Jersey) Law 2008⁵ or Article 3 of the Procureurs du Bien Public (Terms of Office) (Jersey) Law 2013⁶".

8 Citation and commencement

This Law may be cited as the Procureurs du Bien Public (Terms of Office) (Jersey) Law 2013 and shall come into force seven days after it is registered.

A.H. HARRIS

Deputy Greffier of the States

SCHEDULE

(Article 2)

ORDER OF ELECTION**1 Schedule applies to terms of office of existing Procureurs**

This Schedule applies to the most recent terms of office, as Procureurs in any one parish, of the persons who, immediately before 12th March 2014, are Procureurs in that parish.

2 Date of expiry of term of office of existing Procureur

- (1) A term of office shall expire –
 - (a) on 12th March 2014, in the case of the term of office of the Procureur who was first elected to his or her present term of office (or who is the only Procureur in office); or
 - (b) on 9th September 2015, in the case of the term of office of the other Procureur.
- (2) However, if –
 - (a) there are 2 Procureurs in office in a parish immediately before 12th March 2014;
 - (b) the 2 Procureurs agree; and
 - (c) the Connétable of the parish consents,the order set out in sub-paragraph (1) may be reversed.

3 Notional order of elections for the purposes of paragraph 2(1)

- (1) If, immediately before 12th March 2014, 2 Procureurs are in office in a parish and they were elected at the same time, then for the purpose of paragraph 2(1), the order in which they were elected shall be reckoned as follows –
 - (a) the Procureur who has served the longer aggregate time in one or more terms of office as Procureur in that parish shall be taken to have been first elected; or
 - (b) if the 2 Procureurs have served the same aggregate time in one or more terms of office as Procureur in that parish, the Procureur in that parish who has served the longer aggregate time as the holder of one or more honorary offices in that parish shall be taken to have been first elected.
- (2) The reference in sub-paragraph (1)(b) to honorary offices in a parish means any office in the parish to which a person is sworn by the Royal Court, and includes the office of Procureur.
- (3) For the purpose of sub-paragraph (1)(a) or (b), it does not matter whether the terms of office were consecutive or not.

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- 1* chapter 16.600
2 chapter 16.100
3 chapter 16.600
4 chapter 23.055
5 chapter 16.250
6 L.9/2013