



Jersey

CONNÉTABLES (JERSEY) LAW 2008

Official Consolidated Version

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CONNÉTABLES (JERSEY) LAW 2008

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Jersey

CONNÉTABLES (JERSEY) LAW 2008

A **LAW** to make provision as to the terms of office of the Connétables of the 12 Parishes of Jersey and arrangements for their election, and for connected purposes

Commencement [[see endnotes](#)]

1 Term of office of Connétables

- (1) The term of office of a Connétable begins with the day on which the person elected as Connétable takes the oath of that office.¹
- (2) A Connétable shall retire on his or her place being filled by an ordinary election.²
- (3) A Connétable may, at any time before retiring under paragraph (2), resign by giving written notice to that effect to the Bailiff.³
- (3A) On receipt of a notice of resignation under paragraph (3), the Bailiff must notify the Attorney General of the resignation.⁴
- (3B) On receipt of a notice under paragraph (3A), the Attorney General must –
 - (a) notify the Royal Court of the Connétable’s resignation; and
 - (b) give written confirmation to the Connétable that the Royal Court has been notified under sub-paragraph (a).⁵
- (3C) The Connétable ceases to hold office upon the Attorney General notifying the Royal Court of the resignation.⁶
- (4) The place of a Connétable is filled upon the person elected to fill the place taking the oath of the office.
- (5) Article 4C makes provision about disqualification from office and Article 4CA makes provision about a Royal Court direction to resign.⁷

2 Ordinary elections for Connétables⁸

- (1) An ordinary election for Connétables is to be held on 22nd June 2022.
- (2) A subsequent ordinary election for Connétables is to be held in the fourth calendar year (an “election year”) following that in which the previous ordinary election was held.

- (3) The States may by Act appoint the date in an election year on which the ordinary election is to be held.

2A ⁹

3 Casual vacancy in office of Connétable

- (1) This Article applies where a casual vacancy occurs in the office of Connétable, being a vacancy occurring otherwise than upon retirement of the officeholder under Article 1.
- (2) Subject to paragraph (3), the Royal Court shall, on being informed of the vacancy, make an order under the [Elections \(Jersey\) Law 2002](#) for an election to fill the vacancy to be held as soon as is convenient.¹⁰
- (3) Where the vacancy occurs less than 2 months before an ordinary election for Connétables –
 - (a) the Royal Court shall not order an election to fill the vacancy; and
 - (b) the vacancy shall be filled by that ordinary election.¹¹
- (4) The States may by Regulations amend the period in paragraph (3).¹²

4 Term of office of person filling casual vacancy

A person elected to fill a casual vacancy in the office of Connétable shall hold office until the day on which the person in whose place he or she is elected would have retired under Article 1, and shall then retire.¹³

4A Declaration to be made when nominated¹⁴

- (1) Subject to paragraph (1A), a person seeking election as a Connétable shall, at the time of his or her nomination (see Article 17D of the [Elections \(Jersey\) Law 2002](#)), be required to make a declaration, in writing –
 - (a) that he or she is qualified for election by virtue of this Law or any other enactment;
 - (b) of his or her convictions, whether in Jersey or elsewhere, which are not spent convictions;
 - (c) notwithstanding the [Rehabilitation of Offenders \(Jersey\) Law 2001](#), of his or her spent convictions, whether in Jersey or elsewhere, for any of the following offences –
 - (i) treason,
 - (ii) murder,
 - (iii) manslaughter,
 - (iv) any offence that is a relevant offence within the meaning of the [Sex Offenders \(Jersey\) Law 2010](#),
 - (v)

- (vi)
 - (vii) any offence committed when the person seeking election was of full age, against another person who was not, at the time of the offence, of full age,
 - (viii) fraud or any like offence,
 - (ix) obtaining property by false pretences,
 - (x) theft,
 - (xi) perjury,
 - (xii) perverting the course of justice,
 - (xiii) an offence mentioned in the definition “drug trafficking” in Article 1(1) of the [Misuse of Drugs \(Jersey\) Law 1978](#),
 - (xiv) an offence of attempt to commit any of the offences in clauses (i) to (xiii),
 - (xv) an offence of conspiracy or incitement to commit any of the offences in clauses (i) to (xiii),
 - (xvi) an offence of aiding, abetting, counselling or procuring any of the offences in clauses (i) to (xv).¹⁵
- (1A) A person is not required to make a declaration of a conviction for an act which would not, by reference to Article 12 of the Sexual Offences (Jersey) Law 2007, result in a conviction if it had been committed in Jersey on or after 12th January 2007.¹⁶
- (2) ¹⁷
- (3) A person who knowingly makes a false declaration under paragraph (1) shall be guilty of an offence and liable to a fine of level 3 on the standard scale.¹⁸
- (4) The States may by Regulations amend paragraph (1)(c) so as to vary, add or omit any description of offence for which a spent conviction must be disclosed.
- (5) ¹⁹
- (6) In this Article “spent conviction” has the same meaning as in the [Rehabilitation of Offenders \(Jersey\) Law 2001](#).

4B Qualification for election as Connétable²⁰

- (1) A person shall, unless disqualified by paragraph (2), Article 4C or any other enactment, be qualified for election as a Connétable if he or she –
- (a) is of full age; and
 - (b) is a British citizen who has been ordinarily resident in Jersey –
 - (i) for a period of at least 2 years up to and including the day of the election, or
 - (ii) for a period of at least 6 months up to and including the day of the election, as well as having been so resident at any time for an additional period of (or additional periods totalling) at least 5 years.
- (2) A person shall be disqualified for election if he or she is a paid officer in the service of the States or any administration of the States, unless he or she is permitted, by or

under the [Employment of States of Jersey Employees \(Jersey\) Law 2005](#), to stand for election as a Connétable.

- (3) A retiring Connétable who is not disqualified by this Law or any other enactment shall be eligible for re-election.

4C Disqualification²¹

- (1) A disqualified person may not be elected as, or take the oath of the office of, Connétable.
- (2) A person who is an elected Connétable ceases to hold office upon –
- (a) becoming a disqualified person;
 - (b) ceasing to be a British citizen;
 - (c) the expiry of a period of 6 months during which the person has not been resident in Jersey,
- (and accordingly the office becomes vacant for the purposes of Article 3).
- (3) A “disqualified person” is a person who –
- (a) holds any paid office or other place of profit under the Crown;
 - (b) is a member of the States of Jersey Police Force;
 - (c) is detained in an approved establishment or is subject to guardianship under the [Mental Health \(Jersey\) Law 2016](#);
 - (d) is a person in respect of whom a delegate has been appointed under Part 4 of the [Capacity and Self-Determination \(Jersey\) Law 2016](#);
 - (e) has an attorney without whom he or she may not act in matters movable or immovable;
 - (f) has become bankrupt or made a composition or arrangement with his or her creditors (subject to paragraphs (4) and (5));
 - (g) has been convicted of an offence under the [Corruption \(Jersey\) Law 2006](#) by virtue of being, within the meaning of that Law, a public official or a member, officer or employee of a public body; or
 - (h) has been convicted, whether in Jersey or elsewhere, of any offence and ordered to be imprisoned for a period of not less than 3 months, without the option of a fine (subject to paragraph (7)).
- (4) A person who has become bankrupt ceases to be a “disqualified person” by reason of paragraph (3)(f) –
- (a) if the person pays his or her debts in full on or before the day on which the bankruptcy proceedings conclude, on the day the proceedings are concluded; or
 - (b) in any other case, on the expiry of the period of 5 years beginning with the day on which the bankruptcy proceedings are concluded.
- (5) A person who has made a composition or arrangement with his or her creditors ceases to be a “disqualified person” by reason of paragraph (3)(f) –

- (a) if the person pays his or her debts in full, on the day on which the final payment is made;
 - (b) in any other case, on the expiry of the period of 5 years beginning with the day on which the terms of the composition or arrangement are fulfilled.
- (6) Paragraph (7) applies to a person who has been convicted of an offence by reference to which paragraph (3)(h) applies (the “disqualification offence”).
- (7) The person ceases to be a “disqualified person” by reason of paragraph (3)(h) on the expiry of the period of 7 years beginning with the day of the person’s conviction for the disqualification offence.
- (8) Article 18(2) of the [Public Elections \(Expenditure and Donations\) \(Jersey\) Law 2014](#) makes further provision about disqualification following conviction for an offence under that Law.

4CA Effect of direction to resign²²

- (1) This Article applies if the Royal Court directs a Connétable to resign.
- (2) If the Connétable appeals against the Court’s decision to direct resignation, the Connétable ceases to hold office upon either –
- (a) the dismissal of the appeal; or
 - (b) the abandonment of the appeal.
- (3) If the Connétable does not appeal against the Court’s decision within the appeal period, the Connétable ceases to hold office on the expiry of that period.
- (4) But if, before ceasing to hold office in accordance with paragraph (2) or (3), the Connétable resigns in accordance with Article 1(3), the Connétable ceases to hold office in accordance with Article 1(3C).
- (5) For the purposes of paragraph (3), the “appeal period” means the period within which a notice of appeal must be served in accordance with rules made under Article 19 of the [Court of Appeal \(Jersey\) Law 1961](#).

4D Supervisory jurisdiction of the Royal Court²³

Nothing in Article 4B, 4C or 4CA shall be taken to derogate in any way from the supervisory jurisdiction of the Royal Court in relation to the office of Connétable.

5 ²⁴

6 Citation

This Law may be cited as the Connétables (Jersey) Law 2008.

SCHEDULE²⁵

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	°Projet No (where applicable)
Connétables (Jersey) Law 2008	L.15/2008	28 March 2008	P.184/2007
States of Jersey (Miscellaneous Provisions) Law 2011	L.13/2011	5 August 2011	P.176/2010
Connétables (Amendment – Declaration of Convictions) (Jersey) Law 2017	L.5/2017	28 April 2017	P.48/2015
Public Elections (Amendment No. 8) (Jersey) Law 2017	L.8/2017	28 April 2017	P.125/2016
Connétables (Amendment No. 2) (Jersey) Law 2018	L.9/2018	30 March 2018	P.112/2017
Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Regulations 2018	R&O.77/2018	18 July 2018	P.84/2018
Sexual Offences (Consequential Amendments) (Jersey) Regulations 2018	R&O.110/2018	23 November 2018	P.106/2018
Constitution of the States and Public Elections (Jersey) Law 2021	L.11/2021	30 July 2021	P.17/2021
Elections (Miscellaneous Amendments) (Jersey) Law 2021	L.19/2021	22 April 2022 (R&O.4/2022)	P.56/2021
Connétables (Amendment No. 3) (Jersey) Law 2022	L.10/2022	29 April 2022	P.122/2021

°Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
5	Spent, omitted
6	Spent, omitted
7	Spent, omitted
8	5
9(1)	6
9(2) and (3)	Spent, omitted

Table of Endnote References

- ¹ Article 1(1) substituted by L.13/2011, L.11/2021
² Article 1(2) amended by L.11/2021
³ Article 1(3) amended by L.11/2021, substituted by L.10/2022
⁴ Article 1(3A) inserted by L.10/2022

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- ⁵ *Article 1(3B)* inserted by L.10/2022
- ⁶ *Article 1(3C)* inserted by L.10/2022
- ⁷ *Article 1(5)* inserted by L.19/2021, amended by L.10/2022
- ⁸ *Article 2* substituted by L.13/2011, L.11/2021
- ⁹ *Article 2A* inserted by L.13/2011, deleted by L.11/2021
- ¹⁰ *Article 3(2)* amended by L.19/2021
- ¹¹ *Article 3(3)* amended by L.13/2011
- ¹² *Article 3(4)* amended by L.13/2011
- ¹³ *Article 4* amended by L.13/2011, L.11/2021
- ¹⁴ *Article 4A* inserted by L.5/2017
- ¹⁵ *Article 4A(1)* amended by L.8/2017, R&O.110/2018, L.19/2021
- ¹⁶ *Article 4A(1A)* inserted by L.8/2017, amended by R&O.110/2018, substituted by L.19/2021
- ¹⁷ *Article 4A(2)* deleted by L.19/2021
- ¹⁸ *Article 4A(3)* amended by L.8/2017
- ¹⁹ *Article 4A(5)* deleted by L.19/2021
- ²⁰ *Article 4B* inserted by L.9/2018
- ²¹ *Article 4C* inserted by L.9/2018, substituted by L.19/2021
- ²² *Article 4CA* inserted by L.10/2022
- ²³ *Article 4D* inserted by L.9/2018, amended by L.10/2022
- ²⁴ *Article 5* deleted by L.11/2021
- ²⁵ *Schedule* added by L.5/2017, amended by R&O.77/2018, deleted by L.19/2021