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**The Jersey Law Review - June 2003**

**SUMMARY OF LEGISLATION  
1ST JANUARY 2003 - 30TH APRIL 2003**

**1. LAWS ADOPTED BY THE STATES**

- (a) [Health Insurance \(Amendment No. 13\) \(Jersey\) Law 2003](#) (P.222/2002 - adopted 21.1.2003)

This Law increases the penalty for offences of a fraudulent nature under Article 44(1) of the Health Insurance (Jersey) Law 1967.

- (b) [Family Allowances \(Amendment No. 6\) \(Jersey\) Law 2003](#) (P.223/2002 - adopted 21.1.2003)

This Law increases the penalty for offences of a fraudulent nature under Article 16 of the Family Allowances (Jersey) Law 1972.

- (c) [Advocates and Solicitors \(Amendment No. 3\) \(Jersey\) Law 2003](#) (P.233/2002 - adopted 21.1.2003)

This Law amends the Advocates and Solicitors (Jersey) Law 1997 so as to allow -

- (i) part of the period of employment a person must complete to be qualified to be an advocate or solicitor to be undertaken at the offices of a Jersey advocate or solicitor outside Jersey;
- (ii) a break in that period of employment (or immediately following that period) to be disregarded where there was an adequate reason for the break or breaks. Any such break will not, however, count as part of the period of employment.

- (d) [Public Elections \(Amendment\) \(Jersey\) Law 2003](#) (P.234/2002 - adopted 21.1.2003)

This Law provides for *Procureurs du Bien Public* to be elected under the Public Elections (Jersey) Law 2002 instead of by Parish Assemblies.

- (e) [Loi \(2003\) \(Amendement\) au sujet des Centeniers et officiers de Police](#) (P.235/2002 - adopted 21.1.2003)

This Loi amends the Centeniers and Police Officers Law 1853 to provide that the Connétable's Officers are to be chosen by the full Parish Assembly instead of by the electors of the relevant vingtaine.

- (f) [Customs and Excise \(Amendment\) \(Jersey\) Law 2003](#) (P.230/2002 - adopted 4.2.2003)

This Law amends the Customs and Excise (Jersey) Law 1999 to give a person aggrieved by a decision of the Committee on a review of certain decisions under the Law a right to apply to the Royal Court to have the Committee's decision reviewed.

- (g) [Plant Health \(Jersey\) Law 2003](#) (P.1/2003 - adopted 4.2.2003)

This Law replaces the Destructive Insects and Pests (Jersey) Law 1960 to make new provision for the Island for the regulation of the import, export and movement of plant pests and things that can harbour or spread them.

- (h) [Crime and Security \(Jersey\) Law 2003](#) (P.210/2002 - adopted 18.2.2003)

This Law -

- (i) creates new offences regarding the use of weapons of mass destruction and noxious things;
- (ii) amends the Criminal Hoaxes (Jersey) Law 2000;
- (iii) confers powers to make orders freezing the assets of persons outside the Island engaged in acts detrimental to the economy or which threaten life or property.

- (i) [Fire Service \(Amendment No. 5\) \(Jersey\) Law 2003](#) (P.3/2003 - adopted 4.3.2003)

This Law amends the Fire Service (Jersey) Law 1959 to allow the terms and conditions of service of members of the States of Jersey Fire and Rescue Service to be determined by agreement entered into after consultation with the Policy and Resources Committee, rather than by Committee Order.

- (j) [Parish Rate \(Administration\) \(Amendment\) \(Jersey\) Law 2003](#) (P.16/2003 - adopted 1.4.2003)

The purpose of this Law is to amend the Parish Rate (Administration) (Jersey) Law 2003 to take account of the fact that the rateable year of a Parish is not the same as its financial year.

- (k) [Water \(Amendment No. 2\) \(Jersey\) Law 2003](#) (P.24/2003 - adopted 29.4.2003)

This Law amends the Water (Jersey) Law 1972 by introducing a statutory definition of “wholesome water”, the effect of which is to require the Jersey New Waterworks Company Limited to supply water which meets the quality standards applicable in the European Union.

## **2. LAWS, ORDERS IN COUNCIL, ETC., REGISTERED IN THE ROYAL COURT**

- (a) [Law granting an Act of Incorporation to the Association called “The Haut de la Garenne Trust”](#)

(L.1/2003 - registered 3.1.2003. In force - on registration)

- (b) [Law Reform \(Miscellaneous Provisions\) \(Jersey\) Law 2003](#)

(L.2/2003 - registered 3.1.2003. In force - 10.1.2003)

- (c) [Nursing and Residential Homes \(Amendment\) \(Jersey\) Law 2003](#)

(L.3/2003 - registered 3.1.2003. In force - 10.1.2003)

- (d) [Parish Rate \(Jersey\) Law 2003](#)

(L.4/2003 - registered 3.1.2003. In force - 10.1.2003)

- (e) [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#)

(L.5/2003 - registered 3.1.2003. In force - day or days to be appointed)

- (f) [Public Finances \(Administration\) \(Jersey\) Law 2003](#)

(L.6/2003 - registered 3.1.2003. In force - 10.1.2003)

- (g) [Public Holidays and Bank Holidays \(Amendment No. 2\) \(Jersey\) Law 2003](#)

(L.7/2003 - registered 3.1.2003. In force - 10.1.2003)

- (h) [Water Pollution \(Amendment\) \(Jersey\) Law 2003](#)

(L.8/2003 - registered 3.1.2003. In force - 10.1.2003)

- (i) [Insurance Business \(Amendment No. 4\) \(Jersey\) Law 2003](#)

(L.9/2003 - registered 21.3.2003. In force - 28.3.2003)

- (j) [Crime \(Going Equipped\) \(Jersey\) Law 2003](#)

(L.10/2003 registered 21.3.2003. In force - 28.3.2003)

- (k) [Jersey Advisory and Conciliation \(Jersey\) Law 2003](#)

(L.11/2003 - registered 21.3.2003. In force - 28.3.2003)

- (l) [Misuse of Drugs \(Amendment No. 3\) \(Jersey\) Law 2003](#)

(L.12/2003 - registered 21.3.2003. In force - 28.3.2003)

- (m) [Subordinate Legislation \(Amendment No. 3\) \(Jersey\) Law 2003](#)  
(L.13/2003 - registered 21.3.2003. In force - 28.3.2003)
- (n) [Civil Evidence \(Jersey\) Law 2003](#)  
(L.14/2003 - registered 21.3.2003. In force - day to be appointed)
- (o) [Dogs \(Amendment No. 2\) \(Jersey\) Law 2003](#)  
(L.15/2003 - registered 21.3.2003. In force - 28.3.2003)
- (p) [Interpretation \(Amendment\) \(Jersey\) Law 2003](#)  
(L.16/2003 - registered 21.3.2003. In force - 28.3.2003)
- (q) [Official Publications \(Jersey\) Law 2003](#)  
(L.17/2003 - registered 21.3.2003. In force - 28.3.2003)
- (r) [Parish Rate \(Administration\) \(Jersey\) Law 2003](#)  
(L.18/2003 - registered 21.3.2003. In force - 1.1.2004)
- (s) [Loi \(2003\) au sujet des Centeniers et officiers de police](#)  
(L.19/2003 - registered 25.4.2003. In force - 2.5.2003)
- (t) [Public Elections \(Amendment\) \(Jersey\) Law 2003](#)  
(L.20/2003 - registered 25.4.2003. In force - 2.5.2003)

### **3. APPOINTED DAY ACTS**

- (a) *Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) Act 2003* (R & O 15/2003)  
  
Law in force -
  - (i) Parts 1, 8 and 9, Articles 112(1) (in part) and 114, Schedule 4 and paragraph 1 of Schedule 5 - 18.3.2003;
  - (ii) Remainder - day or days to be appointed.

### **4. REGULATIONS MADE BY THE STATES**

- (a) *Sea Fisheries (Miscellaneous Provisions) (Amendment No. 3) (Jersey) Regulations 2003*  
(R & O 6/2003 - in force 11.2.2003)

These Regulations impose a ban on the export of ormers that are not fresh ormers, and confine the export of fresh ormers and the period for possession of ormers on a boat to the period when fishing for ormers is permitted.

- (b) *Housing (General Provisions) (Amendment No. 18) (Jersey) Regulations 2003*  
(R & O 14/2003 - in force 11.3.2003)

These Regulations list the persons who will be permitted to occupy accommodation specified by Article 4AB of the Housing (Jersey) Law 1949 (inserted by L.46/2002).

- (c) *Fishing Vessels (Safety Provisions)(Jersey) Regulations 2003*  
(R & O 19/2003 - in force 13.4.2003)

These Regulations provide for a system of surveys and inspections for Jersey Fishing vessels to regulate the construction of such vessels and specify in relation to them requirements for life saving appliances and equipment and requirements for musters and drills.

- (d) *Public Finances (Appointment of Investment Managers) (Jersey) Regulations 2003*  
(R & O 27/2003 - in force 7.4.2003)

These Regulations repeal the Public Finances (Appointment of Investment Managers) (Jersey) Regulations 1994, which provided for the appointment of investment managers in respect of money in the strategic reserve, and replace them with provisions that relate to the appointment of investment managers to invest any public monies as determined by the Finance and Economics Committee.

- (e) *Motor Traffic (No. 10) (Jersey) Regulations 2003*  
(R & O 36/2003 - in force 6.5.2003)

These Regulations amend the Motor Traffic (Jersey) Law 1935 to make the Home Affairs Committee responsible for all matters relating to the operation of taxi cabs.

## **5. OTHER SUBORDINATE LEGISLATION OF NOTE**

- (a) *Community Provisions (Prohibiting the Sale, Supply and Export of Certain Equipment to, and Freezing of Funds of Certain Officials of, Burma/Myanmar (Jersey) Order 2003*  
(R & O 2/2003 - in force 18.1.2003)

This Order revokes and replaces a previous Order (R & O 100/2000) giving effect to Council Regulation (EC) No. 108/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country.

- (b) *Terrorism (Enforcement of British Islands Orders) (Jersey) Rules 2003*  
(R & O 17/2003 - in force on day to be appointed for coming into force of  
Schedule 3 to Terrorism (Jersey) Law 2003 (L.40/2002))

These Rules make provision for the registration in the Royal Court of orders made elsewhere in the British Islands for the forfeiture of terrorist property or restraining any person from dealing with property which is or may be subject to such forfeiture.

- (c) *Collective Investment Funds (Recognized Funds) (Rules) (Jersey) Order 2003*  
(R & O 21/2003 - in force 2.4.2003)

This Order revokes the Collective Investment Funds (Recognized Funds) (General Provisions) (Jersey) Order 1988 and replaces it with updated provisions.

- (d) *Maintenance Orders (Facilities for Enforcement) Rules 2003*  
(R & O 28/2003 - in force on day to be appointed for coming into force of Article 44 of the Maintenance Orders (Facilities for Enforcement) (Jersey) Law 2000)

These Rules prescribe the practice and procedure under the Maintenance Orders (Facilities for Enforcement) (Jersey) Law 2000.

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