

Jersey & Guernsey Law Review – February 2011
SUMMARY OF JERSEY LEGISLATION

1 September – 31 December 2010

1. LAWS ADOPTED BY THE STATES

- (a) [*Census \(Amendment No 3\) \(Jersey\) Law 201-*](#)
(P.81/2010—adopted in 3rd reading, 17.09.10)

This Law amends penalties for offences in the Census (Jersey) Law 1951.

- (b) [*Drug Trafficking Offences \(Amendment No 3\) \(Jersey\) Law 201-*](#)
(P.106/2010—adopted in 3rd reading, 29.09.10)

This Law enables an officer of at least the rank of Assistant Director in the Customs and Immigration Service to apply by order for customer financial information, or account monitoring orders, during the course of a Customs investigation.

- (c) [*Health Insurance Fund \(Miscellaneous Provisions\) \(Jersey\) Law 201-*](#)
(P.125/2010—adopted in 3rd reading, 18.11.10)

This Law enables the transfer of money out of the health insurance fund for the purposes of funding primary care services and setting up primary care governance systems.

- (d) [*Intellectual Property \(Unregistered Rights\) \(Jersey\) Law 201-*](#)
(P.141/2010—adopted in 3rd reading, 01.12.10)

This Law updates the law of copyright, and introduces performers' protection and other rights similar to copyright.

- (e) [*Finance \(2011 Budget\) \(Jersey\) Law 201-*](#)
(P.158/2010—adopted in 3rd reading, 10.12.10)

This Law sets the standard rate of income tax for 2011, increases the income tax exemption threshold and increases goods and services tax, excise duties, stamp duties and land transactions tax.

- (f) [*Income Tax \(Amendment No 37\) \(Jersey\) Law 201-*](#)
(P.159/2010—adopted in 3rd reading, 10.12.10)

This Law makes miscellaneous amendments to the Income Tax (Jersey) Law 1961, regarding assessments, returns and ITIS, taxation of certain profits under

Schedule D, collection of tax from non-resident landlords, pensions and annuities and deemed dividends and full attribution.

- (g) [Goods and Services Tax \(Amendment No 3\) \(Jersey\) Law 201-](#)
(P.160/2010—adopted in 3rd reading, 10.12.10)

This Law clarifies some provisions of the Goods and Services Tax (Jersey) Law 2007, reduces certain surcharges and increases a value limit on certain supplies.

- (h) [Income Tax \(Amendment No 36\) \(Jersey\) Law 201-](#)
(P.121/2010—adopted in 3rd reading, 10.12.10)

This Law introduces a regime to exempt funds, their subsidiary investment holding companies and securitisation vehicles from income tax.

- (i) [Magistrate's Court \(Miscellaneous Provisions\) \(Amendment No 10\) \(Jersey\) Law 201-](#)
(P.155/2010—adopted in 3rd reading, 10.12.10)

This Law revises the rules for service of a summons by post.

- (j) [Social Security \(Amendment No 19\) \(Jersey\) Law 201-](#)
(P.163/2010—adopted in 3rd reading, 10.12.10)

This Law widens the powers to amend the Social Security (Jersey) Law 1974 by Regulations made by the States.

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

- (a) [Income Tax \(Amendment No 34\) \(Jersey\) Law 2010](#)
(L.19/2010—registered 29.10.10. Part 6 and Schedule 5 in force 05.11.10; remainder in force 01.01.10)

- (b) [Mental Health \(Amendment No 3\) \(Jersey\) Law 2010](#)
(L.20/2010—registered 29.10.10. In force 26.11.10)

- (c) [Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Law 2010](#)
(L.21/2010—registered 29.10.10. Not in force)

- (d) [Wills and Successions \(Amendment\) \(Jersey\) Law 2010](#)
(L.22/2010—registered 29.10.10. In force 29.01.10)

- (e) [Terrorist Asset-Freezing \(Temporary Provisions\) Act 2010](#)
(L.23/2010—registered 26.11.10. In force 26.11.10)

3. APPOINTED DAY ACTS

- (a) [Employment \(Amendment No 5\) \(Jersey\) Law 2010 \(Appointed Day\) Act 2010](#)
(R&O.107/2010—in force 04.11.10)

The following provisions of the Law brought into force on 01.01.11: arts 1, 3, 4, and 7; art 2, insofar as it inserts the definition “effective date of termination”; art 5, except insofar as it inserts arts 60F, 60G, 60H, 60I, 60J, 60N, 60O, 60P, 60Q, 60R and 60S.

4. REGULATIONS MADE BY THE STATES

- (a) [Census \(Jersey\) Regulations 2010](#)
(R&O.97/2010—in force 06.10.10)

These Regulations specify the procedures to be followed for the taking of a census on 27 March 2011.

- (b) [Sea Fisheries \(Trawling, Netting and Dredging\) \(Amendment No 3\) \(Jersey\) Regulations 2010](#)
(R&O.98/2010—in force 06.10.10)

These Regulations amend the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001 to bring them into line with the EU standards for measuring the mesh size and twine thickness of fishing nets.

- (c) [Community Provisions \(Bovine Embryos\) \(Jersey\) Regulations 2010](#)
(R&O.106/2010—in force 09.11.10)

These Regulations facilitate and regulate trade in bovine embryos.

- (d) [Policing of Parks \(Amendment No 2\) \(Jersey\) Regulations 2010](#)
(R&O.112/2010—in force 23.11.10)

These Regulations designate St Martin’s Village Green as a park.

- (e) [Harbours \(Protection of Cables in Territorial Waters\) \(Jersey\) Regulations 2010](#)
(R&O.117/2010—in force 14.12.10)

These Regulations renew the prohibitions on anchoring, dredging or trawling in a cable protection zone.

- (f) [Housing \(General Provisions\) \(Amendment No 27\) \(Jersey\) Regulations 2010](#)
(R&O.118/2010—in force 08.12.10)

SUMMARY OF LEGISLATION: ALDERNEY

These Regulations reduce from 11 to 10 years the continuous period for which a person who was not born in Jersey must have been ordinarily resident in Jersey in order to acquire property.

(g) [Rates \(Amendment of Law\) \(Jersey\) Regulations 2010](#)

(R&O.119/2010—in force 08.12.10)

These Regulations amend the definition “owner” in the Rates (Jersey) Law 2005 to make it clear who is to be treated as the owner in respect of share transfer property for the purposes of the principal Law.

5. OTHER SUBORDINATE LEGISLATION OF NOTE

None.