

STATES OF JERSEY

r

DRAFT MENTAL HEALTH (AMENDMENT No. 2) (JERSEY) LAW 200

**Lodged au Greffe on 2nd June 2008
by the Minister for Health and Social Services**

STATES GREFFE



Jersey

DRAFT MENTAL HEALTH (AMENDMENT No. 2)(JERSEY) LAW 200

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000 the Minister for Health and Social Services has made the following statement –

In the view of the Minister for Health and Social Services the provisions of the Draft Mental Health (Amendment No. 2) (Jersey) Law 200 are compatible with the Convention Rights.

(Signed) **Senator B.E. Shenton**

REPORT

This Law amends the Mental Health (Jersey) Law 1969 with the effect that the Minister for Health and Social Services may set the rates of remuneration that the Minister pays to members of the Mental Health Review Tribunal by administrative decision, rather than by Order. The Minister already determines what expenses of the Tribunal he or she will pay. This amendment is consistent with amendments recently adopted by the States to enable the rates of remuneration for Ordinary Judges of the Court of Appeal and Commissioners of the Royal Court to be set by administrative decision rather than prescribed by Order.

There are no financial or manpower implications for the States arising from the adoption of this Draft Law.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 requires the Minister in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). On 8th May 2008 the Minister for Health and Social Services made the following statement before Second Reading of this Projet in the States Assembly –

In the view of the Minister for Health and Social Services the provisions of the Draft Mental Health (Amendment No. 2) (Jersey) Law 200 are compatible with the Convention Rights.

Explanatory Note

This Law amends the Mental Health (Jersey) Law 1969 with the effect that the Minister for Health and Social Services may set the rates of remuneration that the Minister pays to members of the Mental Health Review Tribunal by administrative decision, rather than by Order. The Minister already determines what expenses of the Tribunal he or she will pay.



Jersey

DRAFT MENTAL HEALTH (AMENDMENT No. 2)(JERSEY) LAW 200

A **LAW** to amend further the Mental Health (Jersey) Law 1969

Adopted by the States [date to be inserted]

Sanctioned by Order of Her Majesty in Council [date to be inserted]

Registered by the Royal Court [date to be inserted]

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

1 Article 2 of the Mental Health (Jersey) Law 1969 amended

For Article 2(3) of the Mental Health (Jersey) Law 1969^[1] there shall be substituted the following paragraph –

“(3) The Minister shall establish and pay rates of remuneration for members of the Tribunal and defray such expenses of the Tribunal as the Minister determines.”.

2 Citation and commencement

This Law may be cited as the Mental Health (Amendment No. 2) (Jersey) Law 200 and shall come into force 7 days after it is registered.

