

STATES OF JERSEY



DRAFT HONORARY POLICE (AMENDMENT No. 3) (JERSEY) REGULATIONS 201-

Lodged au Greffe on 18th September 2015
by the Comité des Connétables

STATES GREFFE



Jersey

DRAFT HONORARY POLICE (AMENDMENT No. 3) (JERSEY) REGULATIONS 201-

REPORT

1. The age criteria for election as an Honorary Police officer is set in the [Honorary Police \(Jersey\) Regulations 2005](#), and currently provides that a person is only qualified for election if, on the day of nomination as a candidate for election, the person has attained 20 years of age but has not attained 70 years of age.
2. The nomination meeting is, of course, held prior to the officer's swearing-in, and so it is possible that an officer could be 70 years of age when sworn in; in such a case the officer would be 73 years old when the term of office ended.
3. The upper age limit was last increased on 18th May 2000 – prior to that the upper age limit was 67 years (see [Honorary Police \(Jersey\) Regulations 1977 – R&O.6480](#)). The report accompanying the draft Regulations to increase the upper age limit ([P.63/2000](#)) explained that –

“For some time the Connétables have been aware that there are parishioners who are willing and able to serve as a member of the Honorary Police but they are precluded by the current upper age limit. In particular, the workload of Centeniers in the larger Parishes involves considerable paperwork associated with Court matters, and those who are retired from business commitments have the time and expertise to be able to deal effectively with such duties.”
4. This remains the case, and the Comité des Connétables considers it is now appropriate to permit a person serving in the Honorary Police to seek a further term of office after the age of 70 years. In reaching this decision, the Comité took into account the views of the Comité des Chefs de Police and the Honorary Police Association, who support an existing officer being able to continue until 75 years of age. It also takes into account increasing life expectancy, the raising of the pension age (both the Social Security pension age and also the proposed raising of the retirement age to 60 for uniformed officers under the [Draft Public Employees \(Pension Scheme\) \(Membership and Benefits\) \(Jersey\) Regulations 201- \(P.98/2015\)](#) and the general improved health amongst many older people.
5. The benefit of permitting an existing officer to stand for election for one further term of office after the age of 70 years is that such persons are already trained and have some experience of the role. The Comité is mindful that the role of the Honorary Police is to provide community policing within their parish, and this can be delivered by older officers, particularly if the duties are

during the day when other officers might be in employment. The Honorary Police are not the same as the States Police and should not be regarded as 'front-line' officers.

6. It is not intended that a person should stand for election for a first term if they have already attained the age of 70 years. Neither is it intended that a person who at some previous time has been an Honorary Police officer (whether in the same or another parish) may seek election after a break in service (no matter how short that break).
7. In summary, the amendment will enable an Honorary Police officer, having attained 70 years of age but prior to the end of his/her current term of office, to stand for election for one further term of office in the same or another office (an officer elected to complete another's term of office would serve only to complete that term and would not be eligible for further election).

8. Financial and manpower implications

There are no financial or manpower implications for the States or the parishes arising from the adoption of these draft Regulations.

Explanatory Note

Persons who wish to serve in the Honorary Police are currently precluded from standing for election or re-election if they are aged 70 or over. These Regulations would amend the Honorary Police (Jersey) Regulations 2005 (the “Regulations”) so as to enable serving members of the Honorary Police who are aged 70 or over to stand for re-election to the same office, or whilst in office, to stand for election to a different office within the Honorary Police.

Regulation 1 substitutes Regulation 2 of the Regulations so as to remove the current prohibition on re-election or election to office of serving members of the Honorary Police who are aged 70 or over. However by virtue of *Regulation 2(4)*, any such member who is re-elected or elected to different office in the Honorary Police, cannot stand for a further re-elected term of office or for election to another office.

Regulation 2 provides for the title of these Regulations and for their coming into force 7 days after they are made.



Jersey

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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 4(4) of the Honorary Police (Jersey) Law 1974¹, have made the following Regulations –

1 Amendment of Regulation 2 of the Honorary Police (Jersey) Regulations 2005

For Regulation 2 of the Honorary Police (Jersey) Regulations 2005² there is substituted the following Regulation –

“2 Qualification for election or re-election to office

- (1) Subject to this Regulation and Regulation 4A, a person shall only be qualified for election or re-election to office as a member of the Honorary Police of a parish if –
 - (a) the person resides in the parish; and
 - (b) on the day of nomination as a candidate for election or re-election, the person has attained the age of 20 but has not attained the age of 70.
- (2) The requirement for residence in paragraph (1) is subject to the Parish of St. Helier (Qualifications for Office) (Jersey) Law 1976³.
- (3) Notwithstanding the upper age limit in paragraph (1)(b) but subject to paragraph (4), a member of the Honorary Police of a parish is qualified –
 - (a) for re-election to the same office; or
 - (b) whilst in office, for election to another office in the Honorary Police of that parish,if on the day of nomination as a candidate that member has attained the age of 70.
- (4) If a member of the Honorary Police to whom paragraph (3) applies is re-elected or elected (as the case may be), that member is disqualified –

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- (a) on the expiry of his or her term of office, for further re-election to that office; or
 - (b) whilst in office, for election to another office in the Honorary Police of that parish.”.

2 Citation and commencement

These Regulations may be cited as the Honorary Police (Amendment No. 3) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- ¹ *chapter 23.220*
² *chapter 23.220.15*
³ *chapter 16.500*