

# STATES OF JERSEY



Jersey

## **DRAFT CHILDREN (CONVENTION RIGHTS) (COMMENCEMENT) (JERSEY) ACT 202-**

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**Lodged au Greffe on 16th October 2023  
by the Minister for Children and Education  
Earliest date for debate: 28th November 2023**

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**STATES GREFFE**

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## Report

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### Introduction

The States Assembly adopted the Draft Children (Convention Rights) (Jersey) Law 202-[\(P.19/2022\)](#) on 30th March 2022, with a principal ambition to achieve significant culture-change in relation to the policies, laws and day-to-day practices which affect Jersey's children. The adoption of the Law included an amendment so that an Act would be required to bring the remainder of the Law into force on a day to be specified by the States. It was agreed that this would serve as a clear point of communication for duty bearers and provides an opportunity for them to confirm their readiness through a debate and vote in the States Assembly.

### Implementation

This Act, if passed, will bring certain provisions of the [Children \(Convention Rights\) \(Jersey\) Law 2022](#) (the "Law") into force on 1st January 2024. The provisions are those concerning Ministerial, Elected Member and Assembly Body duty-bearers.

The Law, which was adopted by the States on 30th March 2022 (P.19/2022), gives further effect in Jersey to the rights and obligations set out in the United Nations Convention on the Rights of the Child (the "Convention"). Persons described as "duty-bearers" under Article 4 of the Law will be required to have due regard to the requirements of Part 1 of the Convention and 2 of its Optional Protocols whenever they are to make certain decisions that may have a direct or indirect impact on children. Provisions relating to Public Authority duty-bearers (see Article 5 of the Law) are not being brought into force by this Act.

### Financial and staff implications

Any financial or staffing implications that should arise for the States from the adoption of this Commencement Act are to be met within existing business as usual resources.

## **EXPLANATORY NOTE**

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This Act, if passed, will bring certain provisions of the Children (Convention Rights) (Jersey) Law 2022 (the “Law”) into force on 1st January 2024. The provisions are those concerning Ministerial, Elected Member and Assembly Body duty-bearers.

The Law, which was adopted by the States on 30th March 2022 (P.19/2022), gives further effect in Jersey to the rights and obligations set out in the United Nations Convention on the Rights of the Child (the “Convention”). Persons described as “duty-bearers” under Article 4 of the Law will be required to have due regard to the requirements of Part 1 of the Convention and 2 of its Optional Protocols whenever they are to make certain decisions that may have a direct or indirect impact on children. Provisions relating to Public Authority duty-bearers (see Article 5 of the Law) are not being brought into force by this Act.



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## **DRAFT CHILDREN (CONVENTION RIGHTS) (COMMENCEMENT) (JERSEY) ACT 202-**

*Made* [date to be inserted]

*Coming into force* [date to be inserted]

**THE STATES** make this Act under Article 16(3) of the [Children \(Convention Rights\) \(Jersey\) Law 2022](#) –

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### **1 Commencement of certain provisions of the Children (Convention Rights) (Jersey) Law 2022**

The uncommenced provisions of the [Children \(Convention Rights\) \(Jersey\) Law 2022](#), except Articles 5, 9 and 12(4)(b)(iii) and Schedule 1, come into force on 1st January 2024.

### **2 Citation**

This Act may be cited as the Children (Convention Rights) (Commencement) (Jersey) Act 202-.