

STATES OF JERSEY



DRAFT STATES OF JERSEY (APPOINTMENT PROCEDURES) (JERSEY) LAW 201-

Lodged au Greffe on 13th October 2017
by the Privileges and Procedures Committee

STATES GREFFE



Jersey

DRAFT STATES OF JERSEY (APPOINTMENT PROCEDURES) (JERSEY) LAW 201-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Chairman of the Privileges and Procedures Committee has made the following statement –

In the view of the Chairman of the Privileges and Procedures Committee, the provisions of the Draft States of Jersey (Appointment Procedures) (Jersey) Law 201- are compatible with the Convention Rights.

Signed: **Connétable L. Norman of St. Clement**

Chairman, Privileges and Procedures Committee

Dated: 10th October 2017

REPORT

This draft Law arises from the following proposition, adopted by the States on 2nd February 2010 –

- “(a) that a revised procedure should be introduced in relation to certain appointments currently made by the States as referred to in paragraph (b) below and that, under the revised procedures, instead of the appointment being made through the lodging ‘au Greffe’ and debate of a proposition –
- the Minister, body or member responsible for the selection of the nominee for the position or positions concerned would be required, before the appointment was confirmed, to present a report to the States in relation to the proposed nomination including the name and brief biographical details of the nominee, a brief description of the nature of the duties of the position and details of the selection process followed to select the person nominated and the appointment could not then be confirmed until at least 2 weeks after the date of presentation of the report to the Assembly;
- (b) that –
- (i) the positions listed in Appendix 1, in relation to which amendments to legislation were required, should be made subject to the new procedure and requested those responsible for the appointments, in consultation with the Privileges and Procedures Committee, to take the necessary steps to bring forward for approval the necessary legislation to give effect to the proposal;
 - (ii) the positions listed in Appendix 2, in relation to which amendments to the constitutions of external bodies were required, should be made subject to the new procedure and requested the Ministers responsible for the appointments to initiate the necessary steps for appropriate amendments to be made to those constitutions;
 - (iii) the positions listed in Appendix 3, where the requirement for the appointment to be made by the States arose solely from a States decision, should be made subject to the new procedure and agreed that the respective decisions of the States listed in Appendix 3 should be amended accordingly to apply the new procedure.”

The list of positions for which new legislation was necessary in order to change the appointments procedure was as follows:

Agent of the Impôts: recruited by Minister for Home Affairs under Customs and Excise (Jersey) Law 1999 – Article 4(2)

Agricultural Loans and Guarantees Advisory Board: recruited by Minister for Economic Development, Tourism, Sport and Culture under Agriculture (Loans) (Jersey) Regulations 1974 – Regulation 3

Commissioners of Appeal for Income Tax: recruited by Minister for Treasury and Resources under Income Tax (Jersey) Law 1961 – Article 10

Data Protection Commissioner: recruited by Minister for Treasury and Resources under Data Protection (Jersey) Law 2005 – Article 6(2) and Schedule 5

Data Protection Tribunal: recruited by Minister for Treasury and Resources under Data Protection (Jersey) Law 2005 – Article 6(5) and Schedule 5

Health and Safety Appeal Tribunal: recruited by Minister for Social Security under Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989 – Regulations 2 and 3

Health Services Disciplinary Tribunal: recruited by Minister for Social Security under Health Insurance (Jersey) Law 1967 – Schedule 5

Income Support Medical Appeal Tribunal: recruited by Minister for Social Security under Income Support (General Provisions) (Jersey) Order 2008 – Article 15

Jersey Appointments Commission: recruited by Chief Minister under Employment of States of Jersey Employees (Jersey) Law 2005 – Article 18(1) and (2)

Jersey Competition Regulatory Authority: recruited by Minister for Economic Development, Tourism, Sport and Culture under Competition Regulatory Authority (Jersey) Law 2001 – Articles 3(1) and 4(4)

Jersey Employment Tribunal: recruited by Minister for Social Security under Employment Tribunal (Jersey) Regulations 2005 – Regulation 5

Jersey Financial Services Commission: recruited by Chief Minister under Financial Services Commission (Jersey) Law 1998 – Article 3(2)

Jersey Police Complaints Authority: recruited by Minister for Home Affairs under Police (Complaints and Discipline) (Jersey) Law 1999 – Article 2(2) and the Schedule, paragraphs 1(2) and 3(3)

Law Society Disciplinary Panel – lay members: recruited by Chief Minister under The Law Society of Jersey Law 2005 – Article 18(2)

Official Analyst: recruited by Minister for Treasury and Resources under Food Safety (Jersey) Law 1966 – Article 2(2) and (3)

Public Employees Contributory Retirement Scheme – Committee of Management: recruited by Minister for Treasury and Resources (Chairman) and Chief Minister (members) under Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations 1989 – Regulation 3

Public Lotteries Board: recruited by Minister for Economic Development, Tourism, Sport and Culture under Gambling (Channel Islands Lottery) (Jersey) Regulations 1975 – Regulation 3(2)

Rate Appeal Board: recruited by Minister for Treasury and Resources under Rates (Jersey) Law 2005 – Article 44(2) and (3)

Rent Control Tribunal: recruited by Minister for Housing under Dwelling Houses (Rent Control) (Jersey) Law 1946 – Article 3(1)

Social Security Tribunal: recruited by Minister for Social Security under Social Security (Determination of Claims and Questions) (Jersey) Order 1974 – Article 8

States of Jersey Complaints Panel – Chairman, Deputy Chairmen and members: recruited by Privileges and Procedures Committee under Administrative Decisions (Review) (Jersey) Law 1982 – Article 5

States of Jersey Police Force, Chief Officer: recruited by Minister for Home Affairs under Police Force (Jersey) Law 1974 – Article 9

Westaway Trust – Council: recruited by Minister for Health and Social Services under Westaway Trust (Jersey) Law 1930 – Article 12.

Work on bringing forward a draft Law was held up by consideration of how to deal with appointments to tribunals, which carry out judicial functions. There is now a separate strand of work being led by the Department of Community and Constitutional

Affairs on judicial independence and the establishment of a Judicial and Legal Services Commission, which will encompass appointments to the tribunals in the list above. In addition, the arrangements for some appointments have been changed in legislation specific to the relevant bodies adopted since 2010.

This leaves the following 12 sets of appointments covered by this draft Law –

- Chairman, vice-chairman and other members of the Agricultural Loans and Guarantees Advisory Board
- Chairman of the Jersey Competition Regulatory Authority
- Lay members of the Disciplinary Panel of the Law Society of Jersey
- Commissioners of the Gambling Commission
- Chairman and members of the Public Lotteries Board
- Members of the Jersey Bank Depositors Compensation Board
- Chairman and other Commissioners of the Jersey Financial Services Commission
- Chairman, Deputy Chairmen and other members of the States of Jersey Complaints Panel
- Commissioners of the Jersey Appointments Commission
- Official Analyst
- Agent of the Impôts
- Members of the Conseil du Don Westaway (Westaway Trust Council).

In general, the draft Law transfers the power of appointment (and, where applicable, termination) from the States to the relevant Minister or appointing body. It also puts in place a requirement for the Assembly to be notified for at least 2 weeks of a prospective appointment before that appointment can take place. This arrangement is consistent with the process put in place for newly-created posts, such as the Commissioner for Standards.

As the Explanatory Note to the draft Law shows, the context for each appointment differs, depending on the terms of the legislation in each case. In particular, arrangements for termination of appointments differ markedly. The intention in this draft Law has not been to alter those arrangements, except in order to introduce the requirement for the States to be notified of a termination no later than 2 weeks after it has occurred, where appropriate. In the case of the Public Lotteries Board, neither the States nor the Minister has the power to remove a member from office. However, at present, all of the members of the Board are employees of the States (see [P.121/2005](#)). In addition, no-one is currently appointed to the Agricultural Loans and Guarantees Advisory Board.

Financial and manpower implications

There are no additional financial or manpower implications arising from the adoption of the draft Law.

Human Rights

No human rights notes are annexed because the Law Officers' Department has indicated that the draft Law does not give rise to any human rights issues.

Re-issue Note

This Projet is re-issued to correct an error in the report, which had listed the Minister for Economic Development, Tourism, Sport and Culture as the recruiter for the Jersey Financial Services Commissioners, instead of the Chief Minister; and also to correct 2 typos in the French wording in the Schedule to the draft Law, i.e. in paragraph 12(b) “social” is corrected to “sociales”, and in paragraph 12(c) “dit” is corrected to “dite”.

Explanatory Note

This draft Law would implement new appointment procedures in accordance with P.205/2009 (Appointments made by the States: revised procedures), which was adopted by the States Assembly on 2nd February 2010. In addition, it makes provision for the Assembly to be notified when a Minister, or a committee, panel or other body established by Standing Orders (a “body” by virtue of *Article 1*) exercises a power to terminate an appointment.

Article 1 is the interpretation provision for the purposes of this Law.

Article 2 requires a Minister or body to present to the States notice of the Minister’s or body’s intention to make, approve or extend an appointment to an office. The notice must be given at least 2 weeks before the appointment or extension is made or the approval given. This requirement only has effect where it is expressed to apply.

Article 3 requires a Minister or body to present to the States a notice not more than 2 weeks after the Minister or body has terminated an appointment to an office. As before, this requirement only has effect where it is expressed to apply.

Article 4 gives effect to the Schedule, which amends other enactments to apply Article 2 and/or Article 3.

Article 5 confers power on the States, by Regulations, to amend the procedures in Articles 2 and 3 and to extend their application.

Article 6 provides for the citation and commencement of this Law.

The amendments made by the *Schedule*, broadly, transfer powers of appointment from the States to a Minister or body, and provide for the application of either or both of Articles 2 and 3. The effect of each amendment is explained below. References in the explanation to Article 2 or Article 3 are to those Articles in this draft Law.

1 Agriculture (Loans) (Jersey) Regulations 1974 – chairman, vice-chairman and other members of the Agricultural Loans and Guarantees Advisory Board

These Regulations are amended so that the chairman, vice-chairman and other members of the Agricultural Loans and Guarantees Advisory Board are appointed by the Minister for Economic Development, Tourism, Sport and Culture. Currently, they are appointed by the States, on the recommendation of that Minister. There is no provision in the Regulations for the States or any other person or body to decide to remove a person from office. A person automatically ceases to hold office on his or her resignation, becoming bankrupt, appointing a special attorney or having a curator appointed. Accordingly, only Article 2 of this Law is applied to the offices.

2 Competition Regulatory Authority (Jersey) Law 2001 – Chairman of the Jersey Competition Regulatory Authority

This Law is amended so that the Chairman of the Authority is appointed by the Chief Minister. Currently, the Chairman is appointed by the States, on the recommendation of the Chief Minister. The Chief Minister already has the power to appoint other members of the Authority, after consulting the Chairman. Article 2 of this Law is applied to the appointment of the Chairman by the Chief Minister. The Chief Minister is already required to notify the States after he or she has appointed other members of the Authority, and that requirement is preserved. The States retain the power to revoke the appointment of the Chairman, on the recommendation of the Chief Minister. The Chief

Minister retains the power to revoke the appointment of other members, and Article 3 of this Law is applied to the revocation of such an appointment.

3 The Law Society of Jersey Law 2005 – lay members of the disciplinary panel of the Law Society of Jersey

This Law is amended so that the lay members of the disciplinary panel of the Law Society are appointed by the Chief Minister, rather than by the States, and Article 2 is applied to such appointments. The Law confers on the Royal Court the power to remove a lay member from office on the ground of misconduct, and this power remains unchanged.

4 Gambling Commission (Jersey) Law 2010 – Commissioners of the Gambling Commission

This Law is amended so that the Chairman of the Gambling Commission is appointed by the Minister for Economic Development, Tourism, Sport and Culture, rather than by the States from persons nominated by the Minister. Article 2 applies to the appointment. The Minister, rather than the States, also determines the duration of the appointment. The Law is further amended so that the Minister, rather than the States, may terminate the appointment. Article 3 applies to the termination. The Minister already has the power to terminate the appointment of a Commissioner other than the Chairman without notifying the States.

5 Gambling (Channel Islands Lottery) (Jersey) Regulations 1975 – chairman and members of the Public Lotteries Board

These Regulations are amended so that the chairman and members of the Public Lotteries Board are appointed by the Minister for Economic Development, Tourism, Sport and Culture, rather than by the States on the recommendation of the Minister. Article 2 is applied to such appointments. A member of the Board ceases to hold office on the occurrence of specified events, and neither the States nor the Minister have the power to remove a member from office.

6 Banking Business (Depositors Compensation) (Jersey) Regulations 2009 – members of the Jersey Bank Depositors Compensation Board

These Regulations are amended so that the members of the Jersey Bank Depositors Compensation Board are appointed by the Chief Minister, rather than by the States on the recommendation of the Chief Minister. Article 2 is applied to such appointments. The grounds on which a person may be removed from office will continue to be set in the terms and conditions agreed between the person and the Chief Minister.

7 Financial Services Commission (Jersey) Law 1998 – Chairman and other Commissioners of the Jersey Financial Services Commission

This Law is amended so that the Chairman and other Commissioners are appointed by the Chief Minister, rather than by the States from persons nominated by the Chief Minister. Article 2 is applied to such appointments. The Chief Minister already has the power to appoint one of the Commissioners as Deputy Chairman without notifying the States, and this power is not changed. The Law is further amended so that the Chief Minister, rather than the States, may decide to extend the period of appointment of a Commissioner who was originally appointed for less than 5 years. The extension cannot cause the Commissioner's appointment to exceed 5 years. Article 2 is applied to such an

extension of an appointment. The Chief Minister already has the power to terminate the appointment of a Commissioner and is required to report the termination to the States. That requirement is replaced by a requirement to comply with Article 3.

8 Administrative Decisions (Review) (Jersey) Law 1982 – Chairman, Deputy Chairmen and other members of the States of Jersey Complaints Panel

This Law is amended so that the Privileges and Procedures Committee, rather than the States, appoints the Chairman, Deputy Chairmen and other members of the States of Jersey Complaints Panel. Article 2 is applied to the appointments.

9 Employment of States of Jersey Employees (Jersey) Law 2005 – Commissioners of the Jersey Appointments Commission

This Law is amended so that the Chief Minister, with the approval of the States Employment Board, appoints Commissioners of the Jersey Appointments Commission (rather than the States making such appointments on the recommendation of the Chief Minister). The Law is further amended so that the Chief Minister, rather than the States, may terminate the appointment of such Commissioners. Article 2 is applied to the appointments and Article 3 to terminations.

10 Food Safety (Jersey) Law 1966 – Official Analyst

Article 2 of this Law is amended so that the Minister for Treasury and Resources, rather than the States, appoints an officer as Official Analyst and may remove the officer from that office. Article 2 applies to the appointment, and Article 3 is applied to the removal.

11 Customs and Excise (Jersey) Law 1999 – Agent of the Impôts

This Law is amended so that the appointment of the Agent of the Impôts is approved by the Minister for Home Affairs, rather than by the States. Article 2 is applied to the approval of the appointment. The Law is also amended to enable the Minister to remove the Agent of the Impôts from office, and Article 3 is applied to such removal.

12 Westaway Trust (Jersey) Law 1930 – members of the Conseil du Don Westaway (Westaway Trust Council)

This Law is amended so that the members of the Westaway Trust Council are appointed by the Minister for Health and Social Services, rather than by the States on the recommendation of that Minister. Article 2 is applied to the appointments.



Jersey

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Arrangement

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Jersey

DRAFT STATES OF JERSEY (APPOINTMENT PROCEDURES) (JERSEY) LAW 201-

A LAW to require a Minister, or a committee or panel or other body constituted by the Standing Orders of the States of Jersey, to follow certain procedures when exercising a power conferred by an enactment to make, approve, extend or terminate an appointment to an office; and to amend enactments

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>

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

1 Interpretation

- (1) In this Law, “body” means a committee, panel or other body constituted by Standing Orders of the States of Jersey¹.
- (2) In this Law, a reference to terminating an appointment to an office includes a reference to cancelling or revoking the appointment or removing a person from the office, before the expiry of his or her term of office.

2 Procedure for appointments

Where this Article applies to an appointment to an office, an approval of such an appointment or an extension of such an appointment, the Minister or body proposing to make or approve the appointment or, as the case may be, to extend the appointment must, at least 2 weeks before making or approving the appointment or making the extension, present to the States a notice of the Minister’s or body’s intention to make or approve the appointment or make the extension.

3 Procedure for termination of appointments

Where this Article applies to the termination of an appointment to an office, the Minister or body who terminates the appointment must, not more than 2 weeks after doing so, present to the States a notice of the termination.

4 Enactments amended

The Schedule has effect to amend enactments, including in particular by making provision for the application of Articles 2 and 3.

5 Regulations

- (1) The States may by Regulations amend Articles 2 and 3.
- (2) The States may by Regulations amend any enactment for the purposes of the further application of this Law, and in particular to make provision –
 - (a) transferring to a Minister or body the power to make an appointment to any office established or continued by the enactment;
 - (b) transferring to a Minister or body the power to terminate an appointment to any office established or continued by the enactment;
 - (c) applying either or both of Articles 2 and 3 in relation to an office established or continued by the enactment; and
 - (d) making any amendments that are ancillary or supplemental to any amendment made under sub-paragraph (a), (b) or (c).

6 Citation and commencement

This Law may be cited as the States of Jersey (Appointment Procedures) (Jersey) Law 201- and shall come into force 7 days after the day on which it is registered.

SCHEDULE

(Article 4)

ENACTMENTS AMENDED

1 Agriculture (Loans) (Jersey) Regulations 1974 – chairman, vice-chairman and other members of the Agricultural Loans and Guarantees Advisory Board

In Regulation 3 of the Agriculture (Loans) (Jersey) Regulations 1974² –

- (a) in paragraph (2) for the words “The States, on the recommendation of the Minister,” there shall be substituted the words “The Minister”;
- (b) after paragraph (2) there shall be inserted the following paragraph –
“(2A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-³ shall apply to the appointment of the chairman, vice-chairman and members of the Board.”.

2 Competition Regulatory Authority (Jersey) Law 2001 – Chairman of Jersey Competition Regulatory Authority

In the Competition Regulatory Authority (Jersey) Law 2001⁴ –

- (a) in Article 3 –
 - (i) in paragraph (1)(a) for the words “the States, on the recommendation of the Minister,” there shall be substituted the words “the Minister”;
 - (ii) for paragraph (3) there shall be substituted the following paragraphs –
“(3) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-⁵ shall apply to the appointment of the Chairman of the Authority.
(3A) The Minister shall notify the States of the appointments that the Minister has made under paragraph (1)(b).”;
- (b) in Article 4 after paragraph (5) there shall be added the following paragraph –
“(6) Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the termination of the appointment of a member of the Authority, other than the Chairman.”.

3 The Law Society of Jersey Law 2005 – lay members of the disciplinary panel of the Law Society of Jersey

In Article 18 of the Law Society of Jersey Law 2005⁶ –

- (a) in paragraph (2) for the words “the States”, in the first place that they appear, there shall be substituted the words “the Chief Minister”;

- (b) after paragraph (3) there shall be inserted the following paragraph –
- “(3A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-⁷ shall apply to the appointment of the lay members of the disciplinary panel.”.

4 Gambling Commission (Jersey) Law 2010 – Commissioners of the Gambling Commission

In Schedule 1 to the Gambling Commission (Jersey) Law 2010⁸ –

- (a) for paragraph 2(1) there shall be substituted the following sub-paragraph –
- “(1) The Minister must appoint the Chairman of the Commission from among the Commissioners.”;
- (b) in paragraph 2(2), for the word “nominate”, in each place that it appears, there shall be substituted the word “appoint”;
- (c) for paragraph 2(3) there shall be substituted the following sub-paragraph –
- “(3) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-⁹ shall apply to the appointment of the Chairman of the Commission.”;
- (d) in paragraph 2(4), for the words “the States” there shall be substituted the words “the Minister”;
- (e) in paragraph 5(2) the words “the States on the recommendation of” shall be deleted;
- (f) for paragraph 5(3) there shall be substituted the following sub-paragraph –
- “(3) Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the termination of the appointment of the Chairman.”;
- (g) in paragraph 5(4) for the words “recommend the termination of” there shall be substituted the word “terminate”.

5 Gambling (Channel Islands Lottery) (Jersey) Regulations 1975 – chairman and members of the Public Lotteries Board

In Regulation 3 of the Gambling (Channel Islands Lottery) (Jersey) Regulations 1975¹⁰ –

- (a) in paragraph (2) for the words “The States, on the recommendation of the Minister,” there shall be substituted the words “The Minister”;
- (b) in paragraph (5) for the words “the States” there shall be substituted the words “the Minister”;
- (c) after paragraph (5) there shall be inserted the following paragraph –

“(5A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-¹¹ shall apply to the appointment of the chairman and members of the Board.”.

6 Banking Business (Depositors Compensation) (Jersey) Regulations 2009 – members of the Jersey Bank Depositors Compensation Board

In Regulation 10 of the Banking Business (Depositors Compensation) (Jersey) Regulations 2009¹² –

(a) in paragraph (2) for the words “the States on the recommendation of the Minister made” there shall be substituted the words “the Minister”;

(b) after paragraph (2) there shall be inserted the following paragraph –

“(2A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-¹³ shall apply to the appointment of members of the Board.”.

7 Financial Services Commission (Jersey) Law 1998 – Chairman and other Commissioners of the Jersey Financial Services Commission

In the Financial Services Commission (Jersey) Law 1998¹⁴ –

(a) for Article 3(2) there shall be substituted the following paragraphs –

“(2) The Minister shall appoint –

(a) the Commissioners; and

(b) a Commissioner to be Chairman of the Commission.

(2A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-¹⁵ shall apply to the appointment of the Chairman and other Commissioners.”;

(b) in Part 2 of Schedule 1 –

(i) in paragraph 1(2A) for the words “the States” there shall be substituted the words “the Minister”;

(ii) for paragraph 1(2B) there shall be substituted the following sub-paragraph –

“(2B) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to an extension of the appointment of a Commissioner.”;

(c) for paragraph 1(4A) there shall be substituted the following sub-paragraph –

“(4A) Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the termination of the appointment of a Commissioner, and the Minister shall give, to the person whose appointment is terminated, notice in writing of the termination and of the reasons for it.”.

8 Administrative Decisions (Review) (Jersey) Law 1982 – Chairman, Deputy Chairmen and other members of the States of Jersey Complaints Panel

In Article 5 of the Administrative Decisions (Review) (Jersey) Law 1982¹⁶ –

- (a) in paragraph (2) –
 - (i) for the words “The States may from time to time by Act –” there shall be substituted the words “The Privileges and Procedures Committee may –”,
 - (ii) for the words “the States” there shall be substituted the words “the Committee”;
- (b) after paragraph (2) there shall be inserted the following paragraph –
 - “(2A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-¹⁷ shall apply to the appointment of the Chairman, Deputy Chairmen and other members of the Panel.”.

9 Employment of States of Jersey Employees (Jersey) Law 2005 – Commissioners of the Jersey Appointments Commission

In the Employment of States of Jersey Employees (Jersey) Law 2005¹⁸ –

- (a) in Article 18 –
 - (i) in paragraph (1) the words “the States on the recommendation of” shall be deleted,
 - (ii) in paragraph (2) for the word “recommend” there shall be substituted the word “appoint”, and
 - (iii) after paragraph (3) there shall be inserted the following paragraph –
 - “(3A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-¹⁹ shall apply to the appointment of a Commissioner.”;
- (b) in Article 19 –
 - (i) for paragraph (1) there shall be substituted the following paragraph –
 - “(1) The Chief Minister may terminate the appointment of a Commissioner on such grounds as the Chief Minister thinks fit.”;
 - (ii) in paragraph (2) for the words “the States should dismiss” there shall be substituted the words “the Chief Minister should terminate the appointment of”; and
 - (iii) after paragraph (3) there shall be inserted the following paragraph –
 - “(3A) Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the termination of the appointment of a Commissioner.”.

10 Food Safety (Jersey) Law 1966 – Official Analyst

In Article 2 of the Food Safety (Jersey) Law 1966²⁰ –

- (a) in paragraph (1) for the words “There shall be appointed” there shall be substituted the words “The Minister for Treasury and Resources shall appoint”;
- (b) for paragraph (2) there shall be substituted the following paragraph –
“(2) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-²¹ shall apply to the appointment of the Official Analyst.”;
- (c) in paragraph (3) –
 - (i) the words “shall report the facts to the States which, after deliberating on them *in camera*,” shall be deleted, and
 - (ii) at the end of that paragraph the full stop shall be deleted and there shall be added the words “and Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the removal.”.

11 Customs and Excise (Jersey) Law 1999 – Agent of the Impôts

In Article 4 of the Customs and Excise (Jersey) Law 1999²² –

- (a) for paragraph (2) there shall be substituted the following paragraphs –
“(2) The Minister shall approve the appointment of the Agent of the Impôts.
(2A) Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 201-²³ shall apply to the approval of the appointment of the Agent of the Impôts.”;
- (b) in paragraph (3) the words “shall report the facts to the States, and the States, after deliberating on the matter *in camera*,” shall be omitted; and
- (c) after paragraph (3) there shall be inserted the following paragraph –
“(3A) Article 3 of the States of Jersey (Appointment Procedures) (Jersey) Law 201- shall apply to the removal from office of the Agent of the Impôts.”.

12 Westaway Trust (Jersey) Law 1930 – Conseil du Don Westaway

In Article 12 of the Westaway Trust (Jersey) Law 1930²⁴ –

- (a) for the words “Les Etats, sur la recommandation du Comité d’Instruction Publique, choisiront” there shall be substituted the words “Le Ministre de la Santé et des Affaires sociales choisira”;
- (b) for the words “les Etats, sur la recommandation du Comité d’Instruction Publique, le remplaceront” there shall be substituted the words “le Ministre de la Santé et des Affaires sociales le remplacera”;
- (c) after the words substituted by sub-paragraph (b) there shall be inserted the following words –
“L’Article 2 de la Loi dite ‘States of Jersey (Appointments Procedures) (Jersey) Law 201-²⁵’ s’appliquera à la nomination d’un membre de ce Conseil.”;

- (d) the words beginning “Le Secrétaire dudit Comité” and ending “voix consultative.” shall be deleted.

1	<i>chapter 16.800.15</i>
2	<i>chapter 01.400.25</i>
3	<i>P.97/2017</i>
4	<i>chapter 05.075</i>
5	<i>P.97/2017</i>
6	<i>chapter 07.570</i>
7	<i>P.97/2017</i>
8	<i>chapter 11.280</i>
9	<i>P.97/2017</i>
10	<i>chapter 11.300.30</i>
11	<i>P.97/2017</i>
12	<i>chapter 13.075.30</i>
13	<i>P.97/2017</i>
14	<i>chapter 13.250</i>
15	<i>P.97/2017</i>
16	<i>chapter 16.025</i>
17	<i>P.97/2017</i>
18	<i>chapter 16.325</i>
19	<i>P.97/2017</i>
20	<i>chapter 20.225</i>
21	<i>P.97/2017</i>
22	<i>chapter 24.660</i>
23	<i>P.97/2017</i>
24	<i>L.3/1930</i>
25	<i>P.97/2017</i>