

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE HOME AFFAIRS COMMITTEE ON
TUESDAY 11th MAY 2004, BY THE DEPUTY OF ST. MARTIN**

Question

Will the President inform members when the Committee intends to present draft legislation relating to the confiscation of alcohol for the consideration of the States following the adoption of P.46/2002 on 21st May 2002, and explain the reasons for the continuing delay in presenting the draft legislation concerned?

Answer

The Deputy of St. Martin asked a similar question in September last year. At that time the Committee undertook to consult with all interested parties before presenting the draft Law.

During October and November 2003, several points required further clarification, particularly the disposal of the intoxicating liquor, and its confiscation in open or sealed containers. In December the Law Officers were asked to check whether the legislation was Human Rights compliant, and in early January the fourth draft of the Law was sent out, requesting comments by early February 2004.

The comments received as a result of the consultation exercise were considered by the Committee at its meeting on 19th February 2004, together with the seventh draft of the Law which contained significant amendments concerning the circumstances under which intoxicating liquor could be confiscated. Soon after this meeting, the eighth draft of the Law was sent to the Deputy of St. Martin for his comments thereon. He responded on 8th March 2004, raising a number of issues which were brought to the attention of the Committee at its next meeting held on 26th March 2004.

Following that meeting, the Director, Home Affairs sought clarification on the issues raised by the Deputy of St. Martin from the Law Draftsman's office. The Senior Assistant Law Draftsman attended the Home Affairs Committee at its next meeting held on 30th April 2004. At that time the Committee approved the Law, subject to some final consultation, particularly with the young people of the Island; the law will then be ready to be debated by the States.