



Jersey

## **PUBLIC RECORDS (JERSEY) AMENDMENT LAW 202-**

### **Contents**

---

#### **Article**

1	Public Records (Jersey) Law 2002 amended .....	2
2	Article 1 (interpretation) amended .....	2
3	Article 3 (public record) amended.....	2
4	Article 5 (public institution) amended.....	2
5	Article 9 (principal duties of Archivist) amended .....	3
6	Article 11 (other functions of Archivist) amended .....	3
7	Article 38 (public duty to create and keep records) amended .....	3
8	Article 38A (Code of Practice) inserted .....	3
9	Article 45 (annual and other reports) amended .....	3
10	Citation and commencement.....	4



## **PUBLIC RECORDS (JERSEY) AMENDMENT LAW 202-**

**A LAW** to amend the [Public Records \(Jersey\) Law 2002](#).

---

*Adopted by the States*

*3 February 2026*

*Sanctioned by Order of His Majesty in Council*

*[date to be inserted]*

*Registered by the Royal Court*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

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

---

### **1    [Public Records \(Jersey\) Law 2002](#) amended**

This Law amends the [Public Records \(Jersey\) Law 2002](#).

### **2    Article 1 (interpretation) amended**

In Article 1(1), before the definition “archival” there is inserted –

“administration of the States” means –

- (a) a department established on behalf of the States; and
- (b) a body, office or unit of administration established on behalf of the States (including under an enactment);

### **3    Article 3 (public record) amended**

In Article 3(1), after “functions” there is inserted “(whether in Jersey or elsewhere)”.

### **4    Article 5 (public institution) amended**

- (1) For Article 5(2) there is substituted –

- (2) Regulations made under paragraph (1)(f) may –

- (a) prescribe a person to be a public institution for the purposes of this Law; and
    - (b) be amended by Order of the Minister, on the recommendation of the Panel.

(2) After Article 5(3) there is inserted –

(4) If there is a dispute as to whether an entity falls within paragraph 5(1)(b) or (g)(iv), the entity or the Archivist must refer the dispute to the Minister, whose decision on the matter is final.

## 5 Article 9 (principal duties of Archivist) amended

For Article 9(b) there is substituted –

- (b) inspect, assess, acquire, appraise and catalogue public records;
- (ba) dispose of (or authorise the disposal of) public and other records, and survey that disposal;
- (bb) preserve and conserve records in the custody or control of the Trust and other records;

## 6 Article 11 (other functions of Archivist) amended

Article 11(g) and (l) are deleted.

## 7 Article 38 (public duty to create and keep records) amended

After Article 38(2) there is inserted –

(2A) If the Panel becomes aware that a public institution is in breach of its duty of records management, the Panel may notify the Minister, who may take the steps that the Minister, on the advice of the Panel, considers necessary.

## 8 Article 38A (Code of Practice) inserted

After Article 38 there is inserted –

### 38A Code of Practice

- (1) The Minister must publish a Code of Practice to assist public institutions with the performance of their duty of records management under this Law.
- (2) Compliance with the Code of Practice must be taken into account in determining whether a public institution has complied with its duty of records management.
- (3) The Code may be published by making electronic copies available on a website, or by making printed copies available to public institutions.

## 9 Article 45 (annual and other reports) amended

(1) For Article 45(3) there is substituted –

(3) A report under this Article may include details of the steps taken under Article 38(2A) in relation to a public institution in breach of its duty of records management.

**10 Citation and commencement**

This Law may be cited as the Public Records (Jersey) Amendment Law 202- and comes into force on a day to be specified by the Minister for Sustainable Economic Development by Order.