



Jersey

TREATIES (JERSEY) LAW 202-

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TREATIES (JERSEY) LAW 202-

A **LAW** to provide for the States Assembly to approve treaties.

<i>Adopted by the States</i>	<i>26 February 2026</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

RECOGNISING that Jersey has an international identity separate from that of the United Kingdom and may develop further that international identity;

AND FURTHER RECOGNISING that Jersey has autonomous capacity in domestic affairs and that international obligations that are binding on Jersey may require the enactment of domestic legislation or otherwise have an impact on domestic affairs;

AND FURTHER RECOGNISING that Jersey has an ever-growing need to participate in international affairs and should not be bound by treaties on which Jersey has not been consulted or that it does not wish to have applied to the Island –

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

1 Interpretation

In this Law –

“lodge” means lodge *au Greffe* in accordance with the Standing Orders of the States of Jersey;

“ratification” in relation to a treaty, means an act establishing as a matter of international law a state’s or an international organisation’s consent to be bound by the treaty, the act consisting of the deposit or delivery of –

- (a) an instrument of ratification, accession, approval or acceptance; or
- (b) a notification of completion of domestic procedures;

“relevant Minister” means the Minister with responsibility for the treaty in Jersey;

“state”, for the purposes of this Law, includes Jersey;

“treaty” –

- (a) means a written agreement –

- (i) between states or between states and international organisations; and
 - (ii) binding under international law; but
- (b) does not mean a regulation, rule, measure, decision or similar instrument made under a treaty that does not wholly or partially amend or replace the treaty.

2 Reference to States Assembly of treaties negotiated or signed in accordance with Letter of Entrustment

- (1) If a treaty has been negotiated or signed under a Letter of Entrustment, the relevant Minister –
- (a) must lodge the text of the treaty so that the States Assembly may decide whether or not to approve that text;
 - (b) must include with the text an explanatory memorandum summarising the provisions of the treaty and the Minister’s view on why it should be approved; and
 - (c) must not notify any other party that the domestic procedures required to give legal effect to the treaty have been complied with unless that approval has been given.
- (2) Paragraph (1) does not apply to an amendment to a treaty that has been approved by the States Assembly if the amendment does not, in the opinion of the relevant Minister, involve a material change to Jersey’s international obligations.
- (3) This Article does not apply to a treaty mentioned in Article 3 or 4.
- (4) In this Article, “Letter of Entrustment”, in relation to a treaty, means authority given by the Government of the United Kingdom on behalf of the Crown in right of Jersey for the relevant Minister to negotiate and enter into the treaty on behalf of Jersey.

3 Reference to States Assembly of treaties to be extended to Jersey following ratification by United Kingdom

- (1) If a treaty has been ratified by the United Kingdom but does not apply to Jersey and the relevant Minister wishes it to extend to Jersey, the Minister –
- (a) must lodge the text of the treaty so that the States Assembly may decide whether or not the Minister should request that the Government of the United Kingdom extend the treaty to Jersey;
 - (b) must include with the text an explanatory memorandum summarising the provisions of the treaty and the Minister’s view on why it should be so extended; and
 - (c) must not request that the treaty be extended to Jersey unless the States Assembly have approved the Minister making that request.
- (2) Paragraph (1) does not apply to an amendment to a treaty that has been extended to Jersey with the approval of the States Assembly if the amendment does not, in the opinion of the relevant Minister, involve a material change to Jersey’s international obligations.
- (3) This Article does not apply to a treaty mentioned in Article 2 or 4.

4 Reference to States Assembly for information of free trade agreements to be applied to Jersey

- (1) This Article applies if the relevant Minister has informed the United Kingdom that the Minister wishes a free trade agreement that is to be negotiated by the United Kingdom to apply to Jersey.
- (2) The relevant Minister must, within 28 days of the treaty being ratified by the United Kingdom, lay a copy before the States Assembly for information together with an explanatory memorandum summarising the provisions of the treaty.
- (3) In this Article, “free trade agreement” means a treaty that is intended to facilitate trade or to reduce or eliminate barriers to trade.

5 Citation and commencement

This Law may be cited as the Treaties (Jersey) Law 202- and comes into force 7 days after it is registered.