



Jersey

CONNÉTABLES (JERSEY) LAW 2008

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CONNÉTABLES (JERSEY) LAW 2008

Arrangement

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Jersey

CONNÉTABLES (JERSEY) LAW 2008

A LAW to make provision as to the terms of office of the Connétables of the 12 Parishes of Jersey and arrangements for their election, and for connected purposes

Commencement [[see endnotes](#)]

1 Term of office of Connétables

- (1) Subject to Article 2A, Connétables shall be elected for a term of 4 years.¹
- (2) Notwithstanding the term of office stated for Connétables in paragraph (1), a Connétable shall retire on his or her place being filled by an ordinary election.
- (3) Where a Connétable resigns before the expiry of his or her term of office, he or she shall continue in office until his or her place is filled by an election ordered under Article 3(2) or, by virtue of Article 3(3), an ordinary election.
- (4) The place of a Connétable is filled upon the person elected to fill the place taking the oath of the office.

2 Ordinary elections for Connétables²

- (1) Subject to Article 2A, an ordinary election for Connétables shall be held in the period of 7 days beginning on 16th May in every 4th year, commencing in May 2018.
- (2) The States may by Regulations amend paragraph (1) so as to alter the period, in every 4th year, within which an ordinary election must be held, both as to its duration and the day it begins.

2A Transitional arrangements in 2011 and 2014³

- (1) An ordinary election shall be held in the period of 7 days beginning on 15th October 2011 to elect Connétables for a term expiring on their places being filled by the ordinary election in October 2014.

- (2) An ordinary election shall be held in the period of 7 days beginning on 15th October 2014 to elect Connétables for a term expiring on their places being filled by the ordinary election in May 2018.
- (3) Article 17(1) of the Public Elections (Jersey) Law 2002⁴ shall apply to an election required under this Article as it applies to an election required under Article 2.

3 Casual vacancy in office of Connétable

- (1) This Article applies where a casual vacancy occurs in the office of Connétable, being a vacancy occurring otherwise than upon retirement of the officeholder under Article 1.
- (2) Subject to paragraph (3), the Royal Court shall, on being informed of the vacancy, make an order under the Public Elections (Jersey) Law 2002⁵ for an election to fill the vacancy to be held as soon as is convenient.
- (3) Where the vacancy occurs less than 2 months before an ordinary election for Connétables –
 - (a) the Royal Court shall not order an election to fill the vacancy; and
 - (b) the vacancy shall be filled by that ordinary election.⁶
- (4) The States may by Regulations amend the period in paragraph (3).⁷

4 Term of office of person filling casual vacancy

A person elected to fill a casual vacancy in the office of Connétable shall hold office until the day on which the person in whose place he or she is elected would have retired under Article 1 or 2A, and shall then retire.⁸

4A Declaration to be made when nominated⁹

- (1) Subject to paragraph (1A), a person seeking election as a Connétable shall, at the time of his or her nomination, be required to make a declaration, in writing –
 - (a) that he or she is not disqualified, whether under this Law or any other enactment, from being elected;
 - (b) of his or her convictions, whether in Jersey or elsewhere, which are not spent convictions;
 - (c) notwithstanding the Rehabilitation of Offenders (Jersey) Law 2001¹⁰, of his or her spent convictions, whether in Jersey or elsewhere, for any of the following offences –
 - (i) treason,
 - (ii) murder,
 - (iii) manslaughter,
 - (iv) any offence that is a relevant offence within the meaning of the Sex Offenders (Jersey) Law 2010¹¹,
 - (v)
 - (vi)

- (vii) any offence committed when the person seeking election was of full age, against another person who was not, at the time of the offence, of full age,
 - (viii) fraud or any like offence,
 - (ix) obtaining property by false pretences,
 - (x) theft,
 - (xi) perjury,
 - (xii) perverting the course of justice,
 - (xiii) an offence mentioned in the definition “drug trafficking” in Article 1(1) of the Misuse of Drugs (Jersey) Law 1978^{12,13}
- (1A) The person is not required to make a declaration of a conviction for the offence of sodomy (whether the conviction is spent or unspent) if the act to which the conviction relates –
- (a) was committed before 12th January 2007; and
 - (b) if committed on or after that date, would not have been an offence.¹⁴
- (2) The person presiding at a nomination meeting convened under Article 20 of the Public Elections (Jersey) Law 2002¹⁵ shall read out to the meeting the declaration made under paragraph (1) by a person proposed as a candidate.
- (3) A person who knowingly makes a false declaration under paragraph (1) shall be guilty of an offence and liable to a fine of level 3 on the standard scale.¹⁶
- (4) The States may by Regulations amend paragraph (1)(c) so as to vary, add or omit any description of offence for which a spent conviction must be disclosed.
- (5) The declaration required by paragraph (1) shall be in the form set out in the Schedule (which the States may by Regulations amend).
- (6) In this Article “spent conviction” has the same meaning as in the Rehabilitation of Offenders (Jersey) Law 2001¹⁷.

4B Qualification for election as Connétable¹⁸

- (1) A person shall, unless disqualified by paragraph (2), Article 4C or any other enactment, be qualified for election as a Connétable if he or she –
- (a) is of full age; and
 - (b) is a British citizen who has been ordinarily resident in Jersey –
 - (i) for a period of at least 2 years up to and including the day of the election, or
 - (ii) for a period of at least 6 months up to and including the day of the election, as well as having been so resident at any time for an additional period of (or additional periods totalling) at least 5 years.
- (2) A person shall be disqualified for election if he or she is a paid officer in the service of the States or any administration of the States, unless he or

she is permitted, by or under the Employment of States of Jersey Employees (Jersey) Law 2005¹⁹, to stand for election as a Connétable.

- (3) A retiring Connétable who is not disqualified by this Law or any other enactment shall be eligible for re-election.

4C Disqualification for election or office²⁰

- (1) A person shall be disqualified for election as a Connétable if that person –
- (a) holds any paid office or other place of profit under the Crown;
 - (b) is a member of the States of Jersey Police Force;
 - (c) is compulsorily detained or subject to guardianship under the Mental Health (Jersey) Law 1969²¹;
 - (d) has a curator of his or her person or property;
 - (e) has an attorney without whom he or she may not act in matters movable or immovable;
 - (f) subject to paragraphs (3) or (4), has become bankrupt or made a composition or arrangement with his or her creditors;
 - (g) has been convicted of an offence under the Corruption (Jersey) Law 2006²² by virtue of being, within the meaning of that Law, a public official or a member, officer or employee of a public body;
 - (h) within the 7 years immediately preceding the date of his or her election, or since that election, has been convicted, whether or not in Jersey or elsewhere, of any offence and liable to be imprisoned for a period of not less than 3 months, without the option of a fine.
- (2) A person shall be disqualified from holding office as a Connétable by reason of –
- (a) ceasing to be a British citizen; or
 - (b) not being resident in Jersey for a period of more than 6 months.
- (3) The disqualification attaching to a person by reason of his or her having become bankrupt shall cease –
- (a) if the person pays his or her debts in full on or before the conclusion of the bankruptcy proceedings, on the day the proceedings are concluded;
 - (b) in any other case, on the expiry of 5 years from the day the proceedings are concluded.
- (4) The disqualification attaching to a person by reason of his or her having made a composition or arrangement with his or her creditors shall cease –
- (a) if the person pays his or her debts in full, on the day on which the payment is completed;
 - (b) in any other case, on the expiry of 5 years from the day on which the terms of the composition or arrangement are fulfilled.

4D Supervisory jurisdiction of the Royal Court²³

Nothing in Article 4B or 4C shall be taken to derogate in any way from the supervisory jurisdiction of the Royal Court in relation to the office of Connétable.

5 Transitional arrangements

- (1) Except as provided in this Article, the terms of office of the Connétables who are in office on 28th March 2008, and of any person who fills a casual vacancy in such an office, are unaffected by this Law.
- (2) The first ordinary election for Connétables shall be held in 2008.
- (3) The following Connétables shall retire upon their places being filled by the first ordinary election –
 - (a) every Connétable whose term of office expires in 2008;
 - (b) every other Connétable who has delivered notice in accordance with paragraph (4).
- (4) A Connétable may, on or before 15th August 2008, deliver to the Attorney General notice, in writing, of his or her resignation, for the purpose of his or her place being filled by the first ordinary election.
- (5) A notice delivered under paragraph (4) cannot be withdrawn.
- (6) Where a Connétable who has delivered notice in accordance with paragraph (4) subsequently ceases, for any reason, to hold office and, before the first ordinary election, a person is elected to fill the casual vacancy in the office, that person shall be bound by the notice delivered by his or her predecessor.
- (7) Notwithstanding Article 1(1), upon the expiry of the term of office of any Connétable whose place is not filled by the first ordinary election, the person elected to fill the place shall be elected for a term expiring upon his or her place being filled at the ordinary election for Connétables in 2011.
- (8) The States may, by Regulations, make further transitional arrangements in connection with the commencement of this Law.

6 Citation

This Law may be cited as the Connétables (Jersey) Law 2008.

SCHEDULE²⁴

(Article 4A(5))

DECLARATION BY CANDIDATE FOR ELECTION

“CONNÉTABLES (JERSEY) LAW 2008

**DECLARATION TO BE MADE BY CANDIDATE FOR ELECTION
AS CONNÉTABLE**

I, the undersigned

..... (*insert name*)

hereby declare that I have read and understood the provisions of Article 4A of the Connétables (Jersey) Law 2008 and that –

- (a) I am not disqualified for election; and
- (b) I have no relevant convictions for the purposes of Article 4A(1)(b) and (c)

OR

The convictions I must declare for the purposes of Article 4A(1)(b) and (c) are as follows –

Signed..... *Date*

NOTE: Article 4A(3) of the Connétables (Jersey) Law 2008 provides that a person who knowingly makes a false declaration shall be guilty of an offence and liable to a fine of level 3 on the standard scale.

In accordance with the provisions of Article 4A(2) of that Law, this declaration will be read out at the nomination meeting.”

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Connétables (Jersey) Law 2008	L.15/2008	28 March 2008	P.184/2007
States of Jersey (Miscellaneous Provisions) Law 2011	L.13/2011	5 August 2011	P.176/2010
Connétables (Amendment – Declaration of Convictions) (Jersey) Law 2017	L.5/2017	28 April 2017	P.48/2015
Public Elections (Amendment No. 8) (Jersey) Law 2017	L.8/2017	28 April 2017	P.125/2016
Connétables (Amendment No. 2) (Jersey) Law 2018	L.9/2018	30 March 2018	P.112/2017
Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Regulations 2018	R&O.77/2018	18 July 2018	P.84/2018
Sexual Offences (Consequential Amendments) (Jersey) Regulations 2018	R&O.110/2018	23 November 2018	P.106/2018

◦Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
5	Spent, omitted
6	Spent, omitted
7	Spent, omitted
8	5
9(1)	6
9(2) and (3)	Spent, omitted

Table of Endnote References

¹ Article 1(1)	<i>substituted by L.13/2011</i>
² Article 2	<i>substituted by L.13/2011</i>
³ Article 2A	<i>inserted by L.13/2011</i>
⁴	<i>chapter 16.600</i>
⁵	<i>chapter 16.600</i>
⁶ Article 3(3)	<i>amended by L.13/2011</i>
⁷ Article 3(4)	<i>amended by L.13/2011</i>
⁸ Article 4	<i>amended by L.13/2011</i>
⁹ Article 4A	<i>inserted by L.5/2017</i>
¹⁰	<i>chapter 08.840</i>
¹¹	<i>chapter 23.815</i>

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- ¹² *chapter 08.680*
- ¹³ *Article 4A(1) amended by L.8/2017, R&O.110/2018*
- ¹⁴ *Article 4A(1A) inserted by L.8/2017, amended by R&O.110/2018*
- ¹⁵ *chapter 16.600*
- ¹⁶ *Article 4A(3) amended by L.8/2017*
- ¹⁷ *chapter 08.840*
- ¹⁸ *Article 4B inserted by L.9/2018*
- ¹⁹ *chapter 16.325*
- ²⁰ *Article 4C inserted by L.9/2018*
- ²¹ *chapter 20.650*
- ²² *chapter 08.090*
- ²³ *Article 4D inserted by L.9/2018*
- ²⁴ *Schedule added by L.5/2017, amended by R&O.77/2018*