

STATES OF JERSEY



DRAFT PLANNING AND BUILDING (JERSEY) AMENDMENT LAW 202- (P.22/2026): COMMENTS

**Presented to the States on 19th March 2026
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

In considering the [Draft Planning and Building \(Jersey\) Amendment Law 202-\(P.22/2026\)](#), the Privileges and Procedures Committee (PPC) has noted the impact that adoption of the Amendment Law would have upon the procedures of the States Assembly. PPC's terms of reference include keeping those procedures under review.

The stated purpose of the Amendment Law is to allow the Minister for the Environment to prepare an interim revision of an Island Plan during its plan period and to prepare an interim revision of the bridging Island Plan. To facilitate this, the Amendment Law would enable the Assembly to make Regulations setting out the procedures that must be followed when a new Island Plan (including amendments to it or an interim revision) is lodged. That would include the lodging process and minimum lodging period.

The Assembly's procedures are normally incorporated within Standing Orders or stem from convention or rulings, but it is also not uncommon for procedural elements to be included in legislation. In that regard, minimum lodging periods for the Island Plan are currently set in the [Planning and Building \(Jersey\) Law 2002](#). Furthermore, when the Law was amended in 2021 (in response to the Covid-19 Pandemic), the Minister for the Environment was given an Order-making power in relation to the preparation process (although the resultant Order, the [Planning and Building \(Covid-19 Bridging Island Plan\) \(Jersey\) Order 2021](#), did not itself affect minimum lodging periods).

The Amendment Law would replace the Minister's Order-making power with the Regulations-making power already mentioned; and minimum lodging periods would no longer be prescribed in the Law itself. In PPC's view, both are welcome developments procedurally.

First, allowing for the Assembly to determine the procedures through Regulations (rather than the Minister through Order) reduces the risk of any inadvertent Ministerial influence on the Assembly's procedures. The Assembly will remain in control of the lodging process – that control being a key element of Assembly privilege, reflected in the fact that it is the Assembly that determines its own rules (the Standing Orders).

Secondly, removing the minimum lodging periods from the Law and placing them in Regulations will mean the Assembly can act more flexibly in relation to the lodging process (if it wishes or finds there is a need to do so) that it can if too much detail is included within primary legislation.

PPC therefore has no concerns regarding the impact of the Amendment Law on the Assembly's procedures or operation and, indeed, has concluded that (from a procedural perspective) it represents a welcome development from what is currently on the statute book.