

STATES OF JERSEY



DRAFT TREATIES (JERSEY) LAW 202- (P.122/2025): COMMENTS

Presented to the States on 27th January 2026
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

The [Draft Treaties \(Jersey\) Law 202- \(P.122/2025\)](#) was lodged to implement the decision of the Assembly to adopt [‘Assembly Consideration of the Bilateral Investment Treaty with the United Arab Emirates’ \(P.6/2023\)](#).

Paragraph (b) of the proposition (lodged by Deputy S.Y. Mézec of St. Helier South, but successfully amended during the debate by the Minister for External Relations and Deputy Sir P.M. Bailhache of St. Clement) –

“requested the Legislation Advisory Panel, in consultation with the Privileges and Procedures Committee, to bring forward legislation by which all Treaties and International Agreements signed by a Minister under entrustment from the United Kingdom Government or to be extended to Jersey under the United Kingdom Government’s ratification process, were subject to ratification by the States Assembly before they came into force.”

In light of the requirements of P.6/2023, as amended, the Privileges and Procedures Committee (PPC) was briefed on 10th November 2025 by Deputy Bailhache (in his capacity as Chair of the Legislation Advisory Panel), accompanied by the Senior Legal Adviser from the Law Officers’ Department.

PPC is therefore satisfied that the provisions of P.6/2023 have been met, in that the Committee was consulted during the development of the Draft Law.

It is not the Committee’s role to undertake detailed scrutiny of draft legislation. The Committee has nevertheless noted the provisions, namely that –

- (a) the text of a treaty that has been negotiated or signed under a Letter of Entrustment must be put before the Assembly for approval;
- (b) where it is proposed that a treaty be extended to Jersey following ratification by the UK, the text of the treaty must be put before the Assembly and the Assembly’s agreement obtained for the relevant Minister to request the extension to take place;
- (c) where a Minister has informed the UK Government that a Free Trade Agreement should be applied to Jersey, the text of the treaty must be presented to the Assembly for information; and
- (d) any treaty that has been signed by HM Attorney General in exercise of law-enforcement functions must be presented to the Assembly for information.

In all cases, an explanatory memorandum would be required alongside the text of the treaty to summarise its provisions.

Procedurally, propositions would be lodged in respect of treaties mentioned in paragraphs (a) and (b) – with a resultant debate and vote by the Assembly. For treaties mentioned in paragraphs (c) and (d), reports would be presented to the States and there would be no debate.

The Committee anticipates that the provisions of the Draft Law mean that the scope for amendments to any proposition relating to a treaty in paragraphs (a) and (b) would likely be limited. For treaties arising from a letter of entrustment, the Law provides that the Assembly would simply be asked whether or not the treaty should be approved. For treaties where there is a Ministerial proposal for the UK to extend the treaty to Jersey, the Assembly would simply be asked whether or not the relevant Minister should request that extension. In both cases, a 'yes or no' decision would effectively be required of the Assembly and the text of the treaty itself would not be subject to amendment.