

2025.07.08

4.3 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding progress of the Heritage and Antiquities Law (OQ.170/2025):

Will the Minister provide an update on the progress of the new Heritage and Antiquities Law, including when he intends to bring it to the Assembly?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I thank the Deputy for his question. I am pleased to say that the Draft Heritage and Antiquities Law is nearing its final state and, subject to a couple of more conversations that I aim to have, we hope to be going out to public consultation before the end of the summer, ahead of lodging the law in Q4 this year.

4.3.1 Deputy J. Renouf:

Can the Minister provide a little more detail on the consultation that he proposes to be undertaking and is he confident that given that need for consultation, and the potential for Scrutiny to call the matter in, that it will be passed before the end of this term?

Deputy K.F. Morel:

The aim is absolutely to have the legislation passed before the end of this term. Consultation has been ongoing for some time with key groups such as the Société Jersiaise or the National Trust of Jersey, as well as obviously Jersey Heritage, being consulted with and involved in different ways. So the public consultation will be to that wider public base. Yes, we see that we should absolutely aim to get this over the line before the end of this term.

4.3.2 Deputy A.F. Curtis of St. Clement:

I just wonder if the Minister could just expand a little more on the requirements that have led to extended consultation on this law in particular.

Deputy K.F. Morel:

If I could just refer back, what does the Deputy mean by requirements?

The Deputy Bailiff:

Yes, Deputy, can you clarify the question?

Deputy A.F. Curtis:

Yes, the Minister suggested that there was a great deal of consultation required to ensure the law was fit for purpose, and I am just understanding ultimately what led to a robust consultation process. Whether it is complexities in the law or whatever.

Deputy K.F. Morel:

I thank the Deputy for his clarification. I do not recall saying that we needed long and lengthy consultation, I just said we would be going to public at consultation. But this is a heritage law that Jersey does not have at the moment, and indeed we have been seeking, I believe, as a States Assembly and as the Government of Jersey, to bring in the heritage law for the last 20 or 30 years. Our existing approach relies heavily on customary law and unwritten conventions which do not provide sufficient clarity or protection, which perhaps is where the requirements the Deputy is referring to are. In recent years with the finding of the Le Câillon II hoard and the lack of statutory framework to manage the find, there has been a desire, certainly on my part, to bring forward comprehensive legislation. When this is proposed, this law is intended to protect and preserve Jersey's rich archaeological heritage and recognise the importance of archaeological objects not only as part of the Island's collective memory, but also as valuable resources for historical and scientific research. The law, when it is brought in, if

the Assembly chooses to adopt it, will make provision for the reporting, recording and preservation of archaeological objects significant to Jersey, as well as a clear process for the determination of objects as Jersey national treasure and the requirement for the Minister to issue a code of practice.

4.3.3 Deputy J. Renouf:

I thank the Minister for those clarifications. I wonder, he has talked about the fact that the consultation process with relevant stakeholders has been slightly protracted. Can he specify any changes that have been required as a result of that consultation process so far?

Deputy K.F. Morel:

I am not able to bring any to mind as we go. The process has been ongoing. We have had many drafts of this law. I believe, off the top of my head, we have had something like 19 or 20 drafts of this law already. It has been a process, but as I said in my response to Deputy Curtis, we are taking something which is currently entirely written, or not written as the case may be, within customary law and trying to bring that into statute, and that is a complex process. There are Crown rights as well, which are important in this, and something which I feel need to be dealt with in the appropriate manner and understood and consulted with in the appropriate manner as well. We are bringing something which has not had a law about it in a statutory term for the first time, and it is complex. If I may just quickly add, a lot of people will focus on things such as treasure and the idea of treasure. But we are bringing forward the idea of objects which are of importance to Jersey's national heritage, which are not necessarily treasure and valuable in themselves, but are just valuable ... sorry, as in valuable from a financial perspective in themselves, but have other value as well. That will be dealt with in this law as well.