

How are Guernsey laws made?



In Guernsey there are two kinds of law:

- **Customary laws**
which develop and evolve through custom and practice
- **Statutory laws**

The steps for making a new law are:

A States' Committee will identify the need for a new law or amendments to an existing law.

The civil servants who serve that Committee will carry out research and present their findings to the Committee. A policy letter will be constructed explaining the need for what

is being proposed. Normally the policy letter will be written by civil servants as instructed by the Committee.

Once approved by the Committee, the policy letter is published, circulated to all States' members and included in a *Billet d'État* – the agenda – for a future States' meeting.

At this meeting, the President of the Committee, which is proposing the new or amended law, will explain why to the other States' members.

The States Members will all have a chance to comment on and debate the new law.

States Members vote verbally at the *States* meeting in the *Royal Court*. They can vote 'pour' (for) or 'contre' (against) introducing the new law, or they can say 'Je ne vote pas' (I am not voting).

If most of the States Members want the new law then the Law Officers get to work on writing it. There are two different ways they can do this:

- They write it as a *Projet de Loi*. Once the *States* and the *Privy Council* in the *UK* have approved the law, it then becomes known as an *Order in Council*
- Alternatively, it is written as an *Ordinance*. The *Privy Council* does not need to approve these laws. However, this type of law cannot introduce new taxes or change any existing laws

At this stage, the law only needs to be checked by a few more people

- For an *Order in Council* the *Balliff* asks the *Crown* to approve it. Once this has happened, the *Royal Court* registers the new law
- If it is an *Ordinance*, only the *States* need to approve it

The new law is now ready to be used.