
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – ECONOMIC DEVELOPMENT – REVISED DELEGATIONS FEBRUARY 2012

**Presented to the States on 23rd February 2012
by the Minister for Economic Development**

STATES GREFFE

REPORT

On 20th February 2012, the Minister for Economic Development made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-E-2012-0019, available at www.gov.je).

The terms of the delegations, and the legislation under which those delegations were made, were recorded in a Report attached to the Ministerial Decision, as shown below.

This replaces the Report attached to MD-E-2012-0002, which is rescinded by MD-E-2012-0019.

1. Introduction

Article 28 of the States of Jersey Law 2005 permits a Minister to delegate, wholly or partly, functions to an Assistant Minister or an officer.

The Law states, *inter alia* –

“28 Power of Minister to delegate functions

- (1) A Minister may delegate, wholly or partly, functions conferred upon or vested in the Minister by or under this Law or any other enactment or any enactment of the United Kingdom having effect in Jersey, to –
 - (a) one of his or her Assistant Ministers;
 - (b) an officer.
- (2) A Minister shall not delegate –
 - (a) any power to make an enactment;
 - (b) any power to decide an appeal under an enactment;
 - (c) any function the delegation of which is prohibited by an enactment.
- (3) The delegation of functions by a Minister under this Article shall not prevent the Minister exercising those functions personally.
- (4) Where any licence, permit or authorization is granted in purported exercise of functions delegated under paragraph (1), no criminal proceedings shall lie against any person for any act done, or omitted to be done, in good faith and in accordance with the terms of the licence, permit or authorization, by reason that the functions had not been delegated, or that any requirement attached to the delegation of the functions had not been complied with.
- (5) In this Article –

“Minister” includes the Chief Minister;

“officer” means a States’ employee within the meaning of the Employment of States of Jersey Employees (Jersey) Law 2005 and includes a member of the States of Jersey Police Force and an officer appointed under paragraph 1(1) of Part 1 of Schedule 2 to the Immigration Act 1971 as extended to Jersey by the Immigration (Jersey) Order 1993.

- (6) The States may by Regulations amend the definition “officer” in paragraph (5).”

2. Delegations

As per MD-E-2011-0200, the Minister has delegated political responsibilities for the Harbours and Airport to Assistant Minister, Deputy J.P.G. Baker of St. Helier; and responsibilities for Agriculture and Fisheries to Assistant Minister, the Deputy of Grouville (C.F. Labey). The Schedule below outlines specific delegations both to Assistant Ministers and Officers.

The Minister therefore approves the delegated functions listed in the attached Schedule.

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
ENTERPRISE AND BUSINESS DEVELOPMENT		
<p>Enterprise and Business Development Strategy</p> <p>Skills Strategy and Implementation Plan</p>	<ul style="list-style-type: none"> • Approval of grants in accordance with the Minister-approved Enterprise and Business Development Strategy and the Skills Strategy and Implementation Plan; • Authority to enter into annual service level agreements for the provision of services or products required to deliver the Enterprise and Business Development Strategy and the Skills Strategy. 	<p>Deputy Chief Executive or, in his absence, the Director of Business Creation and Growth, or Director of International Trade and Investment</p>
FINANCE		
<p>Financial Services Commission (Jersey) Law 1998</p>	<p>Article 6 transfer to the Commission the function of supervising banks and other deposit taking institutions under the Banking Business (Jersey) Law 1991, insurance business under the Insurance Business (Jersey) Law 1996 and collective investment funds and the functionaries of such funds under the Collective Investment Funds (Jersey) Law 1988. In addition, the Article charges the Commission (largely acting through the registrar, a Commission appointee) with administering the Control of Borrowing (Jersey) Law 1947, the Registration of Business Names (Jersey) Law 1956, the Companies (Jersey) Law 1991, the Limited Partnerships (Jersey) Law 1994 and the Limited Liability Partnerships (Jersey) Law 1997.</p>	<p>The Jersey Financial Services Commission.</p> <p>In practice, much of the manner in which the Commission carries out these responsibilities is set out in the Financial Services (Jersey) Law 1998.</p>

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
FISHERIES		
Sea Fisheries (Jersey) Law 1994	<ul style="list-style-type: none"> • To approve applications for exemptions for scientific purposes or the transplanting of fish (Articles 5 and 6); • To approve conditions to be included in licences (Article 12); • To decide what information is required to be provided by licence/permit holders (Article 12); • Where a licence is suspended or revoked, to decide whether to authorise repayment of the licence fee (Article 13). 	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of the Environment • Director of Environmental Management and Rural Economy • Director for Environmental Protection
<i>Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998</i>	<ul style="list-style-type: none"> • To decide on applications for exemption from restrictions on ormers where the applicant wishes to conduct scientific work or transplanting (Regulation 4). 	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of the Environment • Director of Environmental Management and Rural Economy • Director for Environmental Protection
	<ul style="list-style-type: none"> • To decide on applications for exemption from need for pot tags where the applicant wishes to conduct scientific work (Regulation 8). 	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of the Environment • Director of Environmental Management and Rural Economy • Director for Environmental Protection
	<ul style="list-style-type: none"> • To issue and revoke permits to masters, owners and charterers of fishing boats exempting them from the need for pot tags and to set conditions and time limits for such permits (Regulation 8). 	<ul style="list-style-type: none"> • Assistant Minister • Director of Environmental Management and Rural Economy • Director of the Environment • Director for Environmental Protection • Marine Resources Section Leader • Fisheries Officer (Licensing)

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<ul style="list-style-type: none"> To approve type of pot tag and lost pot tag (Regulation 8). 	<ul style="list-style-type: none"> Marine Resources Section Leader Fisheries Officer (Licensing)
	<ul style="list-style-type: none"> To set directions for the issue of pot tags and lost pot tags and to determine the year or years for which pot tags and lost pot tags are valid (Regulation 8). 	<ul style="list-style-type: none"> Assistant Minister Chief Executive Officer Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection
	<ul style="list-style-type: none"> To issue pot tags (Regulation 8). 	<ul style="list-style-type: none"> Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection Marine Resources Section Leader Fisheries Officer (Licensing)
	<ul style="list-style-type: none"> To issue lost pot tags (Regulation 8). 	<ul style="list-style-type: none"> Marine Resources Section Leader Fishery officers
<i>Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003</i>	To authorise the issue of licences and permits (Part 2).	<ul style="list-style-type: none"> Assistant Minister Chief Executive Officer Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection Marine Resources Section Leader
<i>Sea Fisheries (Underwater Fishing) (Jersey) Regulations 2003</i>	<ul style="list-style-type: none"> To authorise certain scientific or transplanting activities (Regulation 2). 	<ul style="list-style-type: none"> Assistant Minister Chief Executive Officer Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<ul style="list-style-type: none"> To authorise the issuing of permits, setting of conditions, fishing periods, and the provision of statistics (Regulation 3). 	<ul style="list-style-type: none"> Assistant Minister Chief Executive Officer Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection Marine Resources Section Leader
<i>Sea Fisheries (Fisheries) (Jersey) Regulations 2010</i>	<ul style="list-style-type: none"> To authorise the renewal of licences to farm fish or shellfish that are unchanged from the original licence. 	<ul style="list-style-type: none"> Assistant Minister Chief Executive Officer Director of Environmental Management and Rural Economy Director of the Environment Director for Environmental Protection
PUBLIC FINANCE		
Public Finances (Jersey) Law 2005 Financial Direction 3.6	<ul style="list-style-type: none"> Approval of non-contentious budget transfers of up to £200,000. 	<ul style="list-style-type: none"> Chief Executive Officer Group Chief Executive Officer, Ports of Jersey
REGULATORY SERVICES		
Tourism (Jersey) Law 1948	<ul style="list-style-type: none"> To establish and maintain registers of premises under Article 6(1); To determine particulars of information to be recorded under Article 6(2)(c); To determine the form of applications under Article 9(1)(a); To determine the particulars of information to be provided under Article 9(1)(e); To notify applicants of renewals or registrations, and to effect such renewals or registrations under Article 10(7); To issue registration certificates under Article 13(1); To determine the required 	<ul style="list-style-type: none"> Director, Strategic Development Hospitality and Leisure Manager Deputy Chief Executive, EDD

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<p>form of registration certificates under Article 13(2);</p> <ul style="list-style-type: none"> • To correct inaccuracies in the registers of premises under Article 14; • To replace registration certificates if satisfied the original is lost under Article 18; • To register a transferee as the proprietor of a premises under Article 21(2)(b) (<i>but not to refuse to do – powers of refusal are retained by the Minister</i>); • To supply suitable signs to proprietors and to determine the form of those signs under Article 27(1); • To determine the form of suitable signs under Article 27(1), after consultation with Jersey Tourism; • To grant authority to proprietors, individually or otherwise to display signs under Article 27(3), after consultation with Jersey Tourism; • To cause to be published annually a list of registered premises under Article 28(1); • To omit premises from the annually published list as it is proper to do so under Article 28(2). 	
<p>Licensing (Jersey) Law 1974</p>	<ul style="list-style-type: none"> • To approve managers under Article 18(3); • To approve deputies under Article 19(1); • To opine on the suitability of registered premises under Article 40(2); • To attend the Licensing Assembly as the Chief Executive Officer's Deputy under Article 6(8). 	<ul style="list-style-type: none"> • Director, Strategic Development • Hospitality and Leisure Manager • Deputy Chief Executive, EDD

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
Places of Refreshment (Jersey) Law 1967	<ul style="list-style-type: none"> • To determine particulars that must be supplied in respect of applications under Article 4(1); • To request additional information under Article 4(3); • To cause premises to be inspected under Article 5; • To register or renew registration of premises under Article 6(1); • To approve alternate persons to act temporarily as proprietors under Article 6(7); • To issue registration certificates under Article 7(1); • To issue substitute registration certificates under Article 7(3); • To issue substitute registration certificates under Article 7(7). 	<ul style="list-style-type: none"> • Director, Strategic Development • Hospitality and Leisure Manager • Deputy Chief Executive, EDD
<i>Policing of Beaches (Jersey) Regulations 1959</i>	<ul style="list-style-type: none"> • To give permission in respect of vehicles being driven on the beach under Regulation 3(1)(a); • To give permission in respect of vehicles being parked on beaches under Regulation 3(1)(b), and slipways under Regulation 3(1)(c), subject to a policy approved by the Minister; • To approve the renewal of beach concession licences under Regulation 3(1)(d). (Note – new applications and refusals of renewals will be considered by the Minister); • To give permission for the use of musical apparatus on any beach under Regulation 3(1)(f), subject to a policy approved by the Minister. 	<ul style="list-style-type: none"> • Director, Strategic Development • Hospitality and Leisure Manager • Deputy Chief Executive, EDD

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
<p><i>Tourism (General Provisions) (Jersey) Order 1990</i></p>	<ul style="list-style-type: none"> • To register hotel premises under Article 3; • To register guest house premises under Article 5; • To register self-catering premises under Article 7; • To register youth hostel premises under Article 12; • To register holiday camps premises under Article 14; • To register camp sites under Article 14; • To give prior approval for and set conditions for structural alterations and change of use under Article 26(1), if such alterations or change are in keeping with the Tourism (General Provisions). <p><i>Note – where conditions or refusals may have significant effects (i.e. commercial effects) or are outside of the Tourism (General Provisions) a decision will be made by the Minister.</i></p>	<ul style="list-style-type: none"> • Director, Strategic Development • Hospitality and Leisure Manager • Deputy Chief Executive, EDD
REGULATION OF UNDERTAKINGS		
<p>Regulation of Undertakings and Development (Jersey) Law 1973</p>	<p>Article 5 – to determine the form of application and contain or be accompanied by such particulars as the Minister may require.</p>	<ul style="list-style-type: none"> • Director, Population Office • Senior Manager Business Assessment and Licensing
<p>Regulation of Undertakings and Development (Jersey) Law 1973</p>	<p>Article 6(1) – to grant a licence either unconditionally or subject to such conditions as considered appropriate or, refuse to grant a licence.</p> <p>Article 6(2) – in deciding whether to grant a licence, to impose conditions, or to refuse to grant a licence to have regard to –</p> <p>(a) to the need to regulate and manage demand on the resources of Jersey, and to protect the integrity of Jersey in commercial and financial matters; and</p>	<ul style="list-style-type: none"> • Chief Officer, Economic Development Department • Director, Population Office, or, other Population Office Officer as instructed by the Director, Population Office, in accordance with internal guidance

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<p>(b) to the provisions of the Competition (Jersey) Law 2005 and to the decisions and directions of the Jersey Competition Regulatory Authority made or given under that Law.</p> <p>Article 6(4) – to state in writing the reasons for a decision that refused a licence or attached any condition to that licence.</p> <p>Article 6(5) and (6) – to revoke a licence if satisfied that –</p> <p>(a) any information furnished in connection with the application for the licence was false or misleading in a material particular; or</p> <p>(b) there has been a failure to comply with any condition subject to which the licence was granted.</p> <p>A licence shall not be revoked unless not less than 14 days notice has been given in writing of the intention so to do and a statement in writing of the reasons for so doing.</p> <p>The delegations as outlined above will only be exercised in accordance with the published General Statement of Policy as issued from time to time in relation to the Regulation of Undertakings and Development (Jersey) Law 1973 ('RUDL').</p>	
<p>Regulation of Undertakings and Development (Jersey) Law 1973</p>	<p>Article 9(1) – to authorise any persons – at all reasonable times, on the production if so required of evidence of the person's authority, enter on any land and make such enquiries, take such measurements and require the production of such documents, as the person thinks necessary in order to ensure that the provisions of this Law are being complied with.</p>	<ul style="list-style-type: none"> • Director, Population Office • Senior Manager Business Assessment and Licensing.

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
Hawkers and Non-Resident Traders (Jersey) Law 1965	To grant, register, revoke, suspend, and vary a licence, and to appoint other authorities, and publish as such, as required under the Law.	The Parish of St. Helier carries out this function on behalf of the Minister.
RURAL		
Agricultural Returns (Jersey) Law 1947	The collecting and collating of agriculture and fisheries statistics.	<ul style="list-style-type: none"> • Director, Environmental Management and Rural Economy.
Agriculture (Loans and Guarantees) (Jersey) Law 1974 <i>Agriculture (Loans) (Jersey) Regulations 1974</i>	<p>Applications for new loans and deferments and general administration of the Scheme is carried out at Officer level (Rural Economy and Treasury and Resources).</p> <p>The Agriculture Loans Board does not now exist, but recommendations could be made to the Minister from the Director of the Rural Economy. This would only be for deferments as the scheme is no longer available for new loans.</p>	<ul style="list-style-type: none"> • The Finance Director is delegated to take appropriate action with borrowers who are in arrears with repayments. <p>The Minister will continue to consider cases, only where a formal decision is required to give the Law Officers instructions to carry out certain functions, i.e. registering of new loans, changes in security and legal action.</p>
Agricultural Marketing (Jersey) Law 1953 <i>Milk Marketing Scheme (Approval) (Jersey) Act 1954</i> <i>Milk Marketing (Registration of Producers) (Jersey) Order 1954</i> <i>Milk Marketing (Polls) (Jersey) Order 1954</i>	Administration of all subordinate legislation.	<ul style="list-style-type: none"> • Director, Environmental Management and Rural Economy.
European Communities Legislation (Implementation) (Jersey) Law 1996 <i>European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002</i>	<ul style="list-style-type: none"> • To ensure the correct form and application of prescribed cattle eartags (Regulation 2); • The registration of cattle and recording of movements (Regulation 7); • Provide replacement passports (Regulation 10); • Powers of entry. To inspect cattle, examine and remove records, check unused eartags 	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of Environmental Management and Rural Economy • States Veterinary Officer <p><i>Inspectors – For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> • States Veterinary Assistant • Head of Agricultural

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	(Regulation 13). Serve a notice restricting movement from the holding (Regulation 14).	Inspection Agricultural Inspectors (4)
HARBOURS AND AIRPORT: CORPORATE		
Public Finances (Jersey) Law 2005 – Part 4	<ul style="list-style-type: none"> In relation to the work of the Airport. 	<ul style="list-style-type: none"> Assistant Minister
<i>Public Finances (Transitional Provisions – States Trading Operations) (Jersey) Regulations 2005</i>	<ul style="list-style-type: none"> In relation to the Airport Trading Fund. 	<ul style="list-style-type: none"> Assistant Minister
<i>Standing Orders of the States of Jersey – S.O.168</i>	<p>Transactions in land.</p> <p>To make recommendations to the Minister for Treasury and Resources, Assistant Minister or Director of Property Holdings as appropriate, under Standing Order 168 as ‘a body established by the States to manage land and buildings owned by the public of Jersey:</p> <ul style="list-style-type: none"> Any acquisition or disposal of land or property on behalf of the public for a consideration of less than £150,000; Any grant or acceptance on behalf of the public of any servitude or right in, on, over or under land by way of gift or for a sum of less than £50,000 or £12,500 a year; The letting on behalf of the public to any person or body for a term certain of any land or property for a rent payable on commencement of less than £50,000 a year; The rent on behalf of the public from any person or body for a term certain of any land or property for a rent payable on commencement of less than £50,000 a year; and The renewal, extension or 	<ul style="list-style-type: none"> Assistant Minister Group Chief Executive Officer Finance and Business Resource Director

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	variation of any lease where the value is less than £50,000 a year. [Note: The approval of construction plans for non-contentious projects for projects below £250k has been delegated to the Accounting Officer under MD-TR-2006-0011.]	
HARBOURS AND AIRPORT: AVIATION		
Aerodromes (Administration) (Jersey) Law 1952 <i>and all subordinate Regulations</i>	All functions in their entirety.	<ul style="list-style-type: none"> • Assistant Minister
<i>Aerodromes (Jersey) Regulations 1965 – Regulation 2</i>	<ul style="list-style-type: none"> • Power of Minister to restrict access to aerodromes. 	<ul style="list-style-type: none"> • Group Chief Executive/ Airport Director • Group Operations Director • Chief Operating Officer – Aviation
<i>Aerodromes (Jersey) Regulations 1965 – Regulation 3</i>	<ul style="list-style-type: none"> • Circulation and parking of vehicles. 	<ul style="list-style-type: none"> • Group Chief Executive/ Airport Director • Group Operations Director • Chief Operating Officer – Aviation
<i>Aerodromes (Jersey) Regulations 1965 – Regulation 4</i>	<ul style="list-style-type: none"> • Posting of notices. 	<ul style="list-style-type: none"> • Group Chief Executive/ Airport Director • Group Operations Director • Chief Operating Officer – Aviation
<i>Aerodromes (Jersey) Regulations 1965 – Regulation 11</i>	<ul style="list-style-type: none"> • Acts for which written permission of the Minister is required. 	<ul style="list-style-type: none"> • Group Chief Executive/ Airport Director • Group Operations Director • Chief Operating Officer – Aviation
<i>Rules of the Air (Jersey) Order 2000</i>	All functions in their entirety.	<ul style="list-style-type: none"> • Assistant Minister
Airport Dues (Jersey) Law 1956	All functions in their entirety.	<ul style="list-style-type: none"> • Assistant Minister

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
Airport Dues (Jersey) Law 1956 – Article 5	<ul style="list-style-type: none"> Exemptions and reductions. 	<ul style="list-style-type: none"> Group Chief Executive/ Airport Director Group Commercial Director
Airport Dues (Jersey) Law 1956 – Article 6	<ul style="list-style-type: none"> Payment of dues. 	<ul style="list-style-type: none"> Group Chief Executive Airport Director Group Commercial Director
Aviation Security (Jersey) Order 1993	All functions in their entirety.	<ul style="list-style-type: none"> Assistant Minister
HARBOURS AND AIRPORT – MARINE		
Harbours (Administration) (Jersey) Law 1961 <i>and all subordinate Regulations</i>	All functions in their entirety.	<ul style="list-style-type: none"> Assistant Minister
<i>Harbours (Jersey) Regulations 1962</i> – Part 1 (Powers of Minister), Regulation 1, paragraphs (1)(a), (2)(a) and (3)	<p>To restrict access to harbours.</p> <p>The delegation does not extend to actions concerning territorial waters.</p>	<ul style="list-style-type: none"> Group Chief Executive/ Harbour Master Group Operations Director Chief Operating Officer – Marine
<i>Harbours (Jersey) Regulations 1962</i> – Part 3 (Duties of Master and Owner)	Action to be taken under Regulation 7(2) following failure of a master to carry out directions of the Harbour Master requiring movement of a vessel.	<ul style="list-style-type: none"> Group Chief Executive/ Harbour Master Group Operations Director Chief Operating Officer – Marine
<i>Harbours (Jersey) Regulations 1962</i> – Part 4 (Provisions governing ships bringing petroleum spirit into a harbour) and Part 5 (Provisions governing the conveyance, loading and unloading of explosives)	<p>To authorise an officer to discharge the functions of inspection to ascertain whether the requirements of Parts 4 (Regulation 24) and 5 (Regulation 35) of the Regulations are being carried out.</p> <p>Any professional fees required, or provision of facilities, to be within annual budget or agreed contingency budget.</p>	<ul style="list-style-type: none"> Group Chief Executive/ Harbour Master Group Operations Director Chief Operating Officer – Marine
<i>Harbours (Jersey) Regulations 1962</i> – Part 8 (General)	Functions under Regulation 47 (Damage by vessels in harbour) with respect to persons answerable for any damage, and persons liable to make good any such damage, including power to detain a vessel and obtain security	<ul style="list-style-type: none"> Group Chief Executive/ Harbour Master Group Operations Director Chief Operating Officer – Marine

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<p>for the amount of damage done.</p> <p>Valuation of cost to make good damage to be based on independent professional report.</p>	
<i>Harbours (Jersey) Regulations 1962 – Part 8 (General)</i>	<p>Giving permission under Regulation 49(1) (a) through to 1(e) and 1(g) for any of the following – fixing notices; use of vessels as houseboats; use of firearms; public address or performance; soliciting or collecting; lighting fireworks.</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Operations Director • Chief Operating Officer – Marine • Group Commercial Director
<i>Harbours (Jersey) Regulations 1962 – Part 8 (General)</i>	<p>Giving permission to engage in any trade or business activity under Regulation 49(1)(f) and the setting of any terms and conditions under Regulation 49(2).</p> <p>If the trade or business activity involves the use of a harbour facility or the provision of a service then the permission must fall within the scope of any directions or requirements of the Minister made under Regulation 6(3), (4), (8) or (10).</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director • Group Finance and Business Resource Director
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 1 (Provisions as to Surf-Riding)</i>	<p>To oversee the registration and insurance procedures and the issue of certificates, concerning surf-riding.</p> <p>Any fees required to be as stated in the Regulation.</p> <p>The design of forms certificates and discs to be determined by the delegate.</p> <p>Cancellation of the certificate to be within the clearly stated procedures of these Regulations.</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 2 (Registration of Sail Boards)</i>	<p>To oversee the registration and insurance procedures and the issue of certificates, concerning sail boards.</p> <p>Any fees required to be as stated in the Regulation. The design of forms, certificates and discs to be determined by the delegate.</p> <p>Cancellation of the certificate to be within the clearly stated procedures of these Regulations.</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 3 (Registration of Boats)</i>	<p>To oversee the registration procedures and issue of certificates of registration for boats.</p> <p>Any fees required to be as stated in the Regulation.</p> <p>The design of forms and certificates to be determined by the delegate.</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 5 (Control of Passenger Boats Plying for Hire, etc.)</i>	<p>For passenger boats to ply for hire between places in the Island: to grant a licence (Regulations 25 and 26) and to revoke, suspend, vary or refuse a licence (Regulations 27 and 28).</p> <p>Any fees required to be as stated in the Regulation.</p> <p>The design of forms and licences to be determined by the delegate.</p> <p>No licence to be granted without the vessel being certified under the Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005.</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Operations Director • Chief Operating Officer – Marine
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 6 (Registration and Marking of Speed Boats)</i>	<p>To oversee the registration and marking of speed boats and to issue the relevant certificate of registration (Regulations 32, 33 and 34).</p>	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
	<p>To ensure compliance with the insurance obligations of the owner (Regulation 35).</p> <p>Any fees required to be as stated in the Regulation.</p> <p>The design of forms to be determined by the delegate.</p> <p>Cancellation of the certificate to be within the clearly stated procedures of these Regulations.</p>	
<i>Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – Part 7 (Restrictions on Speed, Driving and Noise)</i>	Grant permits under Regulation 37(1) to allow vessels to travel faster than 5 knots in stated areas for organised events and to apply conditions to manage safety risks.	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Operations Director • Chief Operating Officer – Marine
Harbour and Light Dues (Jersey) Law 1947	All functions in their entirety.	<ul style="list-style-type: none"> • Assistant Minister
Harbour and Light Dues (Jersey) Law 1947 – Article 8 (Time for payment of dues)	To make agreement with the owner of a ship for the payment of dues.	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director • Group Finance and Business Resource Director
Harbour and Light Dues (Jersey) Law 1947 – Article 7 (Exemptions)	To reduce or waive the dues payable under this Tariff in respect of any particular ship, its passengers or goods.	<ul style="list-style-type: none"> • Group Chief Executive/ Harbour Master • Group Commercial Director • Group Finance and Business Resource Director
Shipping (Jersey) Law 2002 – Part 13, Article 186(1) and (2) Article 186(3) and (4) remain with the Minister for Economic Development	To take and co-ordinate measures to prevent, reduce, and minimise the effects of marine pollution; to prepare, review and implement a plan setting out arrangements for responding to incidents that cause or may cause marine pollution with a view to preventing such pollution or reducing or minimising its effects.	<ul style="list-style-type: none"> • Assistant Minister • Group Chief Executive/ Harbour Master • Chief Operating Officer – Marine

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
ECONOMIC DEVELOPMENT – MARITIME COMPLIANCE		
<i>Shipping (Tonnage) (Jersey) Regulations 2004</i>	<p>To appoint appropriately qualified, authorized measurers and surveyors, as defined in Regulation 1.</p> <p>The Registrar shall only appoint measurers and surveyors for the purpose of their function under the Tonnage Regulations.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Training, Certification and Manning) (Jersey) Order 2004 – Article 5</i>	<p>To exempt any ship or description of ship from any requirement of the U.K. Training and Certification Regulations or the U.K. Manning Regulations as applied in Jersey.</p> <p>The Officer shall only do so where there is in place an equivalent requirement appropriate to the ship type and area of operation.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005 – Article 1(2)(j), regarding U.K. Regulation 11</i>	<p>To issue a Passenger Certificate in accordance with the associated U.K. Regulation 11(a) and recognise equivalent U.K. certification in accordance with the associated U.K. Regulation 11(b).</p> <p>To grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) on such terms (if any) as he may do specify and may, subject to giving reasonable notice, alter or cancel any such exemption.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005 – Article 1(2)(q) regarding U.K. Regulation 19</i>	<p>To cancel a certificate issued to a Jersey ship in accordance with the associated U.K. Regulation 19(1) and to require the surrender of such a certificate in accordance with the associated U.K. Regulation 19(2).</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
<i>Shipping (Safety Codes) (Jersey) Order 2005 – Article 5</i>	To accept equivalencies. The Registrar shall only accept equivalencies on having taken advice from professional surveyors appropriately appointed to oversee the Jersey Code of Practice as defined in Article 3 of the Order.	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Safety Codes) (Jersey) Order 2005 – Article 6</i>	To grant exemptions. The Registrar shall only grant exemptions on having taken advice from professional surveyors appropriately appointed to oversee the Jersey Code of Practice as defined in Article 3 of the Order.	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Fishing Vessels – Safety Training) (Jersey) Order 2004</i>	<p>To grant exemptions from the requirement for safety training under Article 4.</p> <p>Exemption may apply to fishermen operating vessels under 6 metres in length and where they have attended the approved alternative training.</p> <p>Temporary exemptions for fishermen operating any size vessel who have not attended any approved training must be time-limited and dependent on there being on-board safety and emergency briefings.</p> <p>Exemptions to be based on a report issued on behalf of the Harbour Master.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<i>Shipping (Fishing Vessels Safety Provisions) (Jersey) Order 2004 – Articles 129 and 133</i>	<p>On receipt of a favourable survey report, issue or cancel fishing vessel certificates.</p> <p>This to be based on a report issued on behalf of the Harbour Master.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping

LEGISLATION:	FUNCTION:	PERSONS DELEGATED TO:
<p><i>Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005 – Article 1(2)(e) and (2)(r) regarding U.K. Regulations 2 and 21</i></p>	<p>To exempt individual ships from the SOLAS Convention requirements specified under associated U.K. Regulation 21 as amended by the Jersey Order.</p> <p>Such exemptions are to be temporary in nature and the Minister is to be informed at the earliest opportunity.</p> <p>This to be based on a report issued on behalf of the Harbour Master.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping
<p><i>Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005 – Article 2(2)(m) regarding U.K. Regulation 8</i></p>	<p>To exempt, alter and cancel exemptions concerning classes of ships or individual ships in accordance with the associated U.K. Regulation 8.</p> <p>This to be based on a report issued on behalf of the Harbour Master.</p>	<ul style="list-style-type: none"> • Director, Strategic development, Economic Development Department • Registrar of Shipping