

# STATES OF JERSEY

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## **DRAFT TRANSFER OF FUNCTIONS (ENVIRONMENT AND PUBLIC SERVICES COMMITTEE) (No. 2) (JERSEY) ACT 200-**

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**Lodged au Greffe on 23rd September 2003  
by the Environment and Public Services Committee**

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**STATES GREFFE**





Jersey

## **DRAFT TRANSFER OF FUNCTIONS (ENVIRONMENT AND PUBLIC SERVICES COMMITTEE) (No. 2) (JERSEY) ACT 200-**

### **REPORT**

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The Wild Life (Protection) (Jersey) Law 1947 and the Protection of Birds (Jersey) Law 1963 were administered by the Agriculture and Fisheries Committee prior to their repeal by the enactment of the Conservation of Wildlife (Jersey) Law 2000.

After the enactment of the Wildlife Law, the Animals (Trapping) (Jersey) Law 1961 remained the responsibility of the Agriculture and Fisheries Committee, now the Economic Development Committee.

The Animal Trapping Law provides powers of regulation for the sale and use of traps in Jersey and also prohibits the deliberate spreading of myxomatosis. The Law will be amended by Article 38 of the Draft Animal Welfare (Jersey) Law 200- (P.126/2003).

Certain traps for taking rats, mice, and moles are approved by the Small Ground Vermin Traps (Jersey) Order 1962 and the Spring Traps (Approval) (Jersey) Order 1996, made under the primary legislation.

It has been agreed by the Economic Development Committee that, as the Law complements the Conservation of Wildlife Law, it is logical to consolidate administration of these Laws under a single committee.

There are no significant financial or manpower implications arising from the adoption of this draft Act.

## **Explanatory Note**

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This Act transfers the functions of the Economic Development Committee under the Animals (Trapping) (Jersey) Law 1961 to the Environment and Public Services Committee.

Briefly, those functions are –

- (a) to make Orders, if appropriate, approving the use, subject to conditions, of specified traps for killing or taking certain animals; and
- (b) licensing the use of an experimental trap for the purpose of its development or testing.





Jersey

# **DRAFT TRANSFER OF FUNCTIONS (ENVIRONMENT AND PUBLIC SERVICES COMMITTEE) (No. 2) (JERSEY) ACT 200-**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES**, in pursuance of Article 29 of the States of Jersey Law 1966,<sup>[1]</sup> have made the following Act –

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## **1 Transfer of functions under Animals (Trapping) (Jersey) Law 1961**

There are transferred to the Environment and Public Services Committee the functions of the Economic Development Committee under the Animals (Trapping) (Jersey) Law 1961.<sup>[2]</sup>

## **2 Construction and transitional provisions**

- (1) References in the Animals (Trapping) (Jersey) Law 1961<sup>[3]</sup> to “the Committee” shall be construed as references to the Environment and Public Services Committee.
- (2) In the construction of, and for the purposes of, any judgment, award, contract, certificate or other document passed or made before this Act comes into force, anything which is or is to be construed as a reference to the Economic Development Committee or its officers shall, so far only as may be necessary for and in consequence of the transfer of functions effected by Article 1, be construed as a reference to the Environment and Public Services Committee or its officers.
- (3) The transfer of functions effected by Article 1 shall not prejudice the operation of any appointment, determination, direction, instruction, approval, consent, requirement, authorization or other thing made, given or done by the Economic Development Committee before this Act comes into force in relation to the functions transferred, but such matter shall, if then in force, continue in force to the like extent and subject to the like provisions as if it had been duly made, given or done by the Environment and Public Services Committee.
- (4) Anything commenced before this Act comes into force by or under the authority of the Economic Development Committee may, so far as it relates to the functions transferred by Article 1, be carried on and completed by or under the authority of the Environment and Public Services Committee.
- (5) If, at the time this Act comes into force, any legal proceeding is pending to which the Economic Development Committee is a party and the proceeding has reference to the functions transferred by Article 1, the Environment and Public Services Committee shall be substituted in the proceeding for the Economic Development Committee and the proceeding shall not abate by reason of the substitution.

## **3 Citation and commencement**

This Act may be cited as the Transfer of Functions (Environment and Public Services Committee) (No. 2) (Jersey) Act 200- and shall come into force 7 days after it is made.

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[1] *Recueil des Lois, Volume 1966-1967, page 16 and Volume 1996-1997, page 803.*

[2] *Recueil des Lois, Volume 1961-1962, page 347 and Volume 1994-1995, page 169.*

[3] *Recueil des Lois, Volume 1961-1962, page 347 and Volume 1994-1995, page 169.*