

STATES OF JERSEY

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DRAFT STATES OF JERSEY (IMPLEMENTATION) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 9th October 2007
by the Chief Minister**

STATES GREFFE



Jersey

DRAFT STATES OF JERSEY (IMPLEMENTATION) (JERSEY) REGULATIONS 200-

REPORT

The States of Jersey Law 2005 was, for the main part, brought into force on 9th December 2005 and on that day the Committees of the States were abolished and the ministerial system established. Members will recall that, during the preceding months, Regulations transferring functions from Committees to Ministers and 12 sets of supplemental Regulations making amendments to enactments consequential on that transfer were enacted and also came into force on 9th December 2005.

The Employment Relations (Jersey) Law 200- (lodged on 1st February 2005 as P.19/2005) was adopted by the States on 17th May 2005. However it is only in this year that it has been registered in the Royal Court, on 5th January 2007.

A Law only becomes an enactment at the time when it is registered in the Royal Court. Accordingly, on 9th December 2005, the Employment Relations (Jersey) Law 200- had no status as a written Law of Jersey. To that extent, there were no functions imposed by it on the then Employment and Social Security Committee that could have been the subject of Regulations for their transfer.

A transfer of functions is not, now, appropriate, as there is no Committee from which functions could be transferred to the Minister.

These Regulations, then, simply amend the Employment Relations (Jersey) Law 2007 so as to substitute references to Committees with references to Ministers. In particular, the amendments have the effect that the functions that would otherwise have been discharged by the then Employment and Social Security Committee are to be discharged by the Minister for Social Security.

Financial/manpower implications

There are no additional financial or manpower implications for the States arising from the adoption of these draft Regulations

Explanatory Note

These Regulations would amend the Employment Relations (Jersey) Law 2007, on the day that it is brought into force by Appointed Day Act, so as to replace references in it to Committees of the States with references to Ministers.



Jersey

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Arrangement

Regulation

<u>1</u>	<u>Interpretation</u>
<u>2</u>	<u>Article 1 amended</u>
<u>3</u>	<u>Article 5 amended</u>
<u>4</u>	<u>Article 25 amended</u>
<u>5</u>	<u>Miscellaneous substitutions of "Committee" by "Minister"</u>
<u>6</u>	<u>Citation and commencement</u>



Jersey

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Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 50(1)(b) of the States of Jersey Law 2005^[1], have made the following Regulations –

1 Interpretation

In these Regulations “principal Law” means the Employment Relations (Jersey) Law 2007^[2].

2 Article 1 amended

In Article 1 of the principal Law –

- (a) in the definition “approved code of practice” for the words “Employment and Social Security Committee” there shall be substituted the word “Minister”;
- (b) the definition “Committee” shall be deleted;
- (c) after the definition “Jersey Employment Tribunal” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.

3 Article 5 amended

In Article 5(3) of the principal Law –

- (a) for the words “a Committee of the States” there shall be substituted the words “a Minister”;
- (b) for the words “the Committee” there shall be substituted the words “the Minister”;
- (c) for the words “that Committee”, in each place that they appear, there shall be substituted the words “that Minister”;
- (d) for the words “power conferred on it” there shall be substituted the words “power conferred on that Minister”.

4 Article 25 amended

In Article 25(4)(c) of the principal Law for the words “Policy and Resources Committee” there shall be substituted the words “Chief Minister”.

5 Miscellaneous substitutions of “Committee” by “Minister”

In the following provisions of the principal Law, for the word “Committee”, in each place that it appears, there shall be substituted the word “Minister” –

- (a) Article 6(2);
- (b) Article 8(1);
- (c) Article 25;
- (d) paragraph 2(4) of the Schedule, in the inserted Article 2A.

6 Citation and commencement

These Regulations may be cited as the States of Jersey (Implementation) (Jersey) Regulations 200- and shall come into force on 21st January 2008.

[1]

chapter 16.800

[2]

L.3/2007