
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – INFRASTRUCTURE – SCHEME OF DELEGATIONS – JANUARY 2016

Presented to the States on 12th January 2016
by the Minister for Infrastructure

STATES GREFFE

REPORT

On 7th January 2016, the Minister for Infrastructure made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-T-2016-0001, available at www.gov.je).

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).”

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 –

Background

To allow the efficient and effective administration of the legislation for which the Minister for Infrastructure is responsible, certain matters can be delegated to named officials. The attached list details each of these delegations, the relevant legislation, details of what is being delegated, and the officers who are delegated to make these decisions.

Main Content/Subject-matter

In any event where an individual is in an “acting” role for any period of time, that individual is to acquire the delegated functions of the role into which they are acting as set out in this report.

Any reference to “the Minister” refers to the Minister for Infrastructure, and any reference to “the Department” refers to the Department of Infrastructure, unless otherwise indicated.

Driver and Vehicle Standards

Legislation:	Motor Vehicles (Driving Licences) (Jersey) Order 2003, Article 13(1)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
Functions delegated:	Approve arrangements and instructors to carry out Compulsory Basic Training (CBT).
Scope of delegation:	The Minister is responsible for holding or arranging courses and approving instructors conducting such courses that provide basic training and test competence to ride a moped or light motorcycle on the road with a provisional licence.

Legislation:	Road Traffic (Jersey) Law 1956, Article 6(1), (3), (4) and (5)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
Functions delegated:	All matters associated with maintaining a register of driving instructors.
Scope of delegation:	The Minister is required to maintain a register of driving instructors, adding instructors to and removing them from the register. The Minister would be notified of any person whose application to be on the register has been refused or who has been removed from the register.

Legislation:	Road Traffic (Jersey) Law 1956, Article 8(6); and Motor Cars (Driving Instruction) (Jersey) Order 1982, Article 1
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
Functions delegated:	Appointment of examiners to conduct examinations and tests.
Scope of delegation:	<p>The Minister (as the “licensing authority” in the case of granting driving licences) is responsible for appointing persons to conduct examinations and tests for the purposes of testing competence to drive, and for entering a person’s name in the register of driving instructors.</p> <p>These persons are invariably officers in the Department, but there may be occasions when it would be desirable to appoint suitably qualified persons who are not from the Department, e.g. when an examiner is on long-term sick leave.</p>

Legislation:	Motor Cars (Driving Instruction) (Jersey) Order 1982, Article 3(1) and (4)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
Functions delegated:	<p>Determining particulars to be supplied by candidates for examination and testing to become driving instructors.</p> <p>Determining the form of examination and tests to be undertaken by candidates wishing to become driving instructors.</p>
Scope of delegation:	The Minister is responsible for determining particulars to be supplied by those wishing to become driving instructors and for determining the form of examination and tests that candidates should undertake successfully to become a driving instructor.

Legislation:	Road Traffic (Jersey) Law 1956, Article 78(3)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
Functions delegated:	Manner of application for licences for vehicles exempting them from complying with the requirements of the Motor Vehicles (Construction and Use) (Jersey) Order 1998 – P30 applications.

Scope of delegation:	The Minister is responsible for determining how applications should be made to exempt vehicles from the requirements of Construction and Use legislation. Invariably (but not exclusively) these tend to be applications for vehicles wider than the normal permitted width to circulate in the Island. Granting approval is the responsibility of the Inspector of Motor Traffic.
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Legislation:	Motor Vehicles (Construction and Use) (Jersey) Order 1998, Article 118(2)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
Functions delegated:	Specifying form of defect notice.
Scope of delegation:	A defect notice should state what provision of the Order is contravened, require the owner to remedy the defect and present the vehicle for examination at a date, time and place so that it can be verified that the defect has been rectified or a notice may be issued for the purpose of carrying out a more thorough examination of the vehicle for other defects.

Legislation:	Motor Vehicles (Construction and Use) (Jersey) Order 1998, Article 119(1)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
Functions delegated:	Designating place to impound vehicles for further testing.
Scope of delegation:	If any vehicle is impounded at a road check it should be towed by the owner to a place for examination, a garage for repairs or to be scrapped. The DVS test station at La Collette is specified in the Order for further testing, but it can be such other place as the Minister may designate. There are times when it may be more appropriate to have the vehicle taken to another place for further tests.

Legislation:	Motor Traffic (Jersey) Law 1935, Article 9(1), (2) and (3)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer

Functions delegated:	Granting Public Service Vehicle (PSV) licences and the conditions attached thereto.
Scope of delegation:	Issuing PSV licences (plates) for omnibuses, chars-a-banc and taxicabs, subject to the Minister approving policies for granting licences, approving standard conditions of licence. Those recommended for refusal of a licence or who appeal against a condition will be notified to the Minister.

Legislation:	Motor Traffic (Jersey) Law 1935, Article 10(1)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
Functions delegated:	Suspending public service vehicle licences.
Scope of delegation:	Suspending a public service vehicle licence where the conduct of the licence-holder in operating the service, or non-compliance with conditions of licence, warrants it. The licence-holder can appeal to the Minister.

Legislation:	Motor Traffic (Jersey) Law 1935, Article 30(1)
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
Functions delegated:	Suspending public service vehicle badges.
Scope of delegation:	Suspending a public service vehicle badge where the conduct or health of the badge-holder warrants it. The badge-holder can appeal to the Minister.

Legislation:	Motor Traffic (Third Party Insurance) (Jersey) Law 1948, Article 4
Delegate:	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
Functions delegated:	Approving authorised insurers.

Scope of delegation:	<p>All providers of insurance in Jersey are licensed by the Jersey Financial Services Commission (JFSC). However, providers of motor insurance must be approved by the Minister.</p> <p>Subject to insurers meeting the criteria set out in Article 4(2) of the Law, and the application from the insurer being supported by the JFSC, approving authorized insurers.</p> <p>Where the application does not comply fully with the criteria or refusal to authorise is considered, the application will be presented to the Minister for decision.</p>
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Finance

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Finance Director
Functions delegated:	Compliance of all Financial Directions issued under Article 34 of the Public Finances (Jersey) Law 2005, where they relate to the finances or operations of the Department.
Scope of delegation:	To enable compliance with all Financial Directions, and to ensure specific requirements contained within each of the Financial Directions are delegated to the Chief Officer and or Finance Director.

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Finance Director Finance Officer
Functions delegated:	<p>Write off bad debts –</p> <ul style="list-style-type: none"> • Chief Officer/Finance Director for an individual value of less than £25,000 and a combined annual total of less than £200,000. • Finance Officer for any individual value of less than £50.
Scope of delegation:	Subject to them being reported to the Minister on a quarterly basis with an explanatory report.

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Finance Director
Functions delegated:	Approve the Department's authorised signature schedule and approved expenditure limits, conditional upon them being within pre-authorised limits.

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport
Functions delegated:	Accept tenders not exceeding £200,000.
Scope of delegation:	By formal contract documentation.

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport Finance Director Director of Waste Strategy.
Functions delegated:	Responsibility for signing formal engineering contracts, forms of engagement, and formal contract signing up to their allocated financial authorisations.
Scope of delegation:	As part of the Departmental quarterly reporting mechanism, the Minister will receive a report showing the number of contracts, their form and contract value.

Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport
Functions delegated:	Appoint consultants for construction and engineering works.

Scope of delegation:	Where the Department is Client.
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Legislation:	Public Finances (Jersey) Law 2005
Delegate:	Chief Officer
Functions delegated:	Delegation of the authorisation of non-contentious budget transfers to the Chief Officer up to the value of £200,000, in accordance with Article 28 of the Public Finances (Jersey) Law 2005.
Scope of delegation:	This allows the approval of non-contentious budget transfers up to a specific value, avoiding an undue administrative burden on the Minister.

Transport and Highways

Legislation:	Highways (Jersey) Law 1956
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
Functions delegated:	Issuing licences under the Highways Law.
Scope of delegation:	The Department has powers to issue licences for things to be placed over, on or below main roads.

Legislation:	Road Traffic (Jersey) Law 1956
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
Functions delegated:	Traffic Signs.
Scope of delegation:	The erection of traffic signs, including regulatory signs.

Legislation:	Road Traffic (Jersey) Law 1956
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
Functions delegated:	Temporary changes to Traffic Orders.
Scope of delegation:	Temporary changes can be made to Parish Orders for a period of up to 12 months, if they are approved by the Connétable and Roads Committee, and are not contentious.

Legislation:	Road Traffic (Jersey) Law 1956
Delegate:	Chief Officer Director of Engineering and Infrastructure Director of Transport Manager – Transport Policy
Functions delegated:	Speed limits – applications from all quarters, including Parishes and States members, as well as public.
Scope of delegation:	The application of States’ approved policy and notified to Minister for approval on a quarterly basis.

Legislation:	Road Traffic (Speed Limits) (Jersey) Order 2003
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
Functions delegated:	Approval of temporary speed limits at road-works.
Scope of delegation:	The Minister for Infrastructure has powers to introduce mandatory temporary speed limits at road-works. Officers may approve requests from road-works operators for temporary speed limits following consultation with the relevant Connétable.

Legislation:	Highways Road Humps (Jersey) Regulations 2002
Delegate:	Chief Officer Director of Transport Manager – Transport Policy
Functions delegated:	Responding to requests for road-humps on Parish by-roads made by respective Parishes.
Scope of delegation:	The Connétable of a Parish is required to consult the Minister before installing road-humps on a by-road. Officers will advise the Connétable on good practice, legal requirements and consultation with emergency services

Legislation:	Motor Traffic (Jersey) Law 1935
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
Functions delegated:	Install, remove or move bus-stops.
Scope of delegation:	Bus-stops also require approval of the Connétable of the relevant Parish if on a by-road. Non-contentious measures only.

Legislation:	Customary Law (Choses Publiques) (Jersey) Law 1993
Delegate:	Chief Officer Director of Engineering and Infrastructure Director of Transport Manager – Transport Policy
Functions delegated:	Approve applications for “al fresco” areas.
Scope of delegation:	Approve non-contentious requests and inform the Connétable of the Parish who issues a permit if approved by the Parish.

Legislation:	Planning and Building (Jersey) Law 2002
Delegate:	Chief Officer Director – Engineering and Infrastructure Manager – Traffic and Street-works Director – Transport Manager – Transport Policy
Functions delegated:	<p>Applications for planning permission of concern to a highway authority.</p> <p>To make comments on applications for planning permission which have been referred to the Minister in connection with –</p> <ul style="list-style-type: none"> (a) a development involving the creation of a new means of access or the enlargement of an existing means of access to a road; (b) a situation where the development of land may lead to problems associated with people using or entering a road bordering the land; (c) a significant effect on the volume or type of traffic using roads leading to or from or in the vicinity of a development; (d) increasing the cost of undertaking any improvement of a road bordering the land; (e) hindering the improvement of a road bordering the land which the highway authority intends to improve. <p>In accordance with Article 14 of the Planning and Building (Jersey) Law 2002.</p> <p>The Manager of Traffic and Street-works inspects each planning application and will visit each site.</p> <p>The Manager of Traffic and Street-works will submit comments on the application relating to the adequacy of visibility, access, servicing and turning facilities. If the development site is subject to any of the Department’s widening lines or policies for provision of footways, this will be highlighted and taken into account when making comments.</p> <p>The Manager of Transport Policy, or the Manager of Traffic and Street-works, will approve the comments, amend the comments or request further investigation.</p> <p>The comments are forwarded to the Environment Department normally within the requested timeframe.</p> <p>The comments are submitted to the Minister for noting.</p>
Scope of delegation:	Provision of highway observations and the comments on Planning Applications. These will be reported to the Minister for noting.

Parking

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
Delegate:	Chief Officer Director of Operational Services Director of Transport Manager – Parking Control
Functions delegated:	Carrying on a trade or business in a parking or public place.
Scope of delegation:	Where non-contentious, e.g. selling JEPs, ice-cream concessions, etc.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
Delegate:	Chief Officer Director of Transport Manager – Parking Control Director of Operational Services Manager – Parks and Gardens
Functions delegated:	Charity collections in parking or public places.
Scope of delegation:	Where non-contentious, e.g. Poppy Appeal, etc.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
Delegate:	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Parking Control Director of Operational Services Manager – Parks and Gardens
Functions delegated:	Approval of requests for use of land administered by the Department for events, e.g., Victoria Avenue car parks, other car parks, etc.
Scope of delegation:	Where non-contentious and often annual; reported to the Minister for noting on a quarterly basis.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Indicate the speed and route to be taken and other restrictions to be observed by a person driving a vehicle in a parking place or by pedestrians.
Scope of delegation:	Directional signs within car parks.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Restrict the size or mass of vehicles that may use the whole or any part of the parking place.
Scope of delegation:	Restriction on commercial and/or agricultural vehicles in certain parking places.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Close for any period and for any purpose the whole or any part of the parking place.
Scope of delegation:	For events, maintenance works, setting aside an area for utility companies to lease as compounds whilst working in the area, etc., when non-contentious.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control

Functions delegated:	Set aside permanently or for any period the whole or any part of the parking place for parking vehicles of a type specified in the notice.
Scope of delegation:	Changing of parking space layouts within car parks to move commercial vehicle spaces, motorcycle parking, etc., when non-contentious

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Set aside permanently or for any period the whole or any part of the parking place for parking vehicles on which a valid permit is displayed.
Scope of delegation:	Moving of permit-holder areas within the parking area, such as disabled bays, States Members' parking, etc., when non-contentious.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Give approval for a boat, trailer or thing to be parked or placed in a parking place.
Scope of delegation:	When non-contentious.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Give permission for advertising material to be placed in a parking place.
Scope of delegation:	When non-contentious.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Use a vehicle in connection with a trade or business while it is parked in a parking space.
Scope of delegation:	When non-contentious.

Legislation:	Road Traffic (Public Parking Places) (Jersey) Order 2006
Delegate:	Chief Officer Director of Transport Manager – Parking Control
Functions delegated:	Allow the consumption of alcohol in a parking place.
Scope of delegation:	Allow alcohol to be consumed in a public car park as part of an event such as a Fête in a car park, when non-contentious.

Drainage

Legislation:	Drainage (Jersey) Law 2005 – Article 8
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager, Drainage Infrastructure
Functions delegated:	Sewers and drains to the sea.
Scope of delegation:	Restricts discharge to sea shore without consent.

Legislation:	Drainage (Jersey) Law 2005 – Article 12
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager, Drainage Infrastructure

Functions delegated:	Adoption of other sewerage facilities.
Scope of delegation:	Power to adopt sewerage facilities as public.

Legislation:	Drainage (Jersey) Law 2005 – Article 13
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager, Drainage Infrastructure
Functions delegated:	Separation of foul and surface water sewers.
Scope of delegation:	Power to reserve sewer for foul or surface water only.

Legislation:	Drainage (Jersey) Law 2005 – Article 14
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager, Drainage Infrastructure
Functions delegated:	Obligation to connect to public sewer.
Scope of delegation:	Power to require property-owner to connect to the sewer.

Legislation:	Drainage (Jersey) Law 2005 – Article 15
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Senior Engineer – Contracts Management Administrator, Operational Services Manager Drainage Infrastructure Manager Drainage Maintenance Leading Charge-hand Drainage Investigations Charge-hand Drainage Survey Manager – Waste Compliance Leading Technician CCTV Technical Support Officer

Functions delegated:	Repair of sewers and drains by owners.
Scope of delegation:	Power to examine sewer or drain and require property-owner to repair.

Legislation:	Drainage (Jersey) Law 2005 – Article 16
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Senior Engineer – Contracts Management Manager Drainage Infrastructure Manager Drainage Maintenance Manager – Waste Compliance Administrator – Operational Services
Functions delegated:	Restricted discharges into sewers and drains.
Scope of delegation:	Restricts surface water from being discharged to foul sewers without consent.

Legislation:	Drainage (Jersey) Law 2005 – Article 17
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Senior Engineer – Contracts Management Manager, Drainage Infrastructure
Functions delegated:	Disturbance of public sewers.
Scope of delegation:	Restricts building close to sewer, or connecting to sewer, without consent.

Legislation:	Drainage (Jersey) Law 2005 – Article 18
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager, Drainage Infrastructure

Functions delegated:	Septic tanks.
Scope of delegation:	Restricts use of septic tanks where property is connected to sewer.

Legislation:	Drainage (Jersey) Law 2005 – Article 19
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manger Records Manager Manager, Drainage Infrastructure
Functions delegated:	Abandonment of public sewerage facilities.
Scope of delegation:	Power to discontinue or prohibit use of public sewer.

Legislation:	Drainage (Jersey) Law 2005 – Article 22
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Manager – Liquid Waste Treatment Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Trade effluent discharge consents.
Scope of delegation:	Power to issue discharge consents.

Legislation:	Drainage (Jersey) Law 2005 – Article 23
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager – Waste Compliance Administrator, Operational Services Manager, Drainage Infrastructure

Functions delegated:	Production of plans and furnishing of information.
Scope of delegation:	Requirement on owner to provide information on discharge.

Legislation:	Drainage (Jersey) Law 2005 – Article 24
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Manager – Liquid Waste Treatment Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Variation, suspension and revocation.
Scope of delegation:	Power to amend trade discharge consent.

Legislation:	Drainage (Jersey) Law 2005 – Article 25
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Manager – Liquid Waste Treatment Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Transfers.
Scope of delegation:	Power to transfer trade discharge consent to new holder.

Legislation:	Drainage (Jersey) Law 2005 – Article 26
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Manager – Liquid Waste Treatment Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Information about harmful effluent.
Scope of delegation:	Power to request information about the nature of trade discharge.

Legislation:	Drainage (Jersey) Law 2005 – Article 27
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Control of harmful effluent.
Scope of delegation:	Power to require person to dispose of harmful trade effluent.

Legislation:	Drainage (Jersey) Law 2005 – Article 30
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Senior Engineer – Contracts Management Manager, Drainage Infrastructure
Functions delegated:	Alteration of designated flood defences.
Scope of delegation:	Restricts alterations without consent.

Legislation:	Drainage (Jersey) Law 2005 – Article 31
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Senior Engineer – Contracts Management Manager Drainage Infrastructure Manager Drainage Maintenance
Functions delegated:	Repair of other flood defences.
Scope of delegation:	Power to require work to be undertaken by owner on flood defences.

Legislation:	Drainage (Jersey) Law 2005 – Article 34
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager Drainage Infrastructure Manager Drainage Maintenance Leading Charge-hand Drainage Investigations Charge-hand Drainage Survey Leading Technician CCTV Technical Support Officer Senior Surveyor Surveyor Departmental Duty Officers Manager – Waste Compliance Administrator, Operational Services
Functions delegated:	Exercise of ancillary powers.
Scope of delegation:	Powers of entry for inspection, survey purposes, etc.

Legislation:	Drainage (Jersey) Law 2005 – Article 35
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager, Drainage Infrastructure
Functions delegated:	Remedial action by person causing damage.
Scope of delegation:	Power to require owner to correct damage.

Legislation:	Drainage (Jersey) Law 2005 – Article 37
Delegate:	Chief Officer Director of Operational Services Assistant Director, Liquid Waste Network Operations Manager Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager, Drainage Infrastructure
Functions delegated:	Remedial action by Minister.
Scope of delegation:	Power for Department to correct damage at owner's cost.

Legislation:	Planning and Building (Jersey) Law 2002
Delegate:	Chief Officer Director – Waste Management Principal Engineer – Drainage Senior Engineer – Drainage Records Manager
Functions delegated:	To make comments on applications for planning permission which have been referred to the Minister in connection with development in relation to – <ul style="list-style-type: none"> (a) the sufficiency of any sewerage or drainage system, flood defence work or water course that may be affected by the development, the prevention of damage to it, and any hindrance to its repair or maintenance; (b) the limitation of damage by surface water that could be caused by the development; (c) the effect of the development on water quality (including sea water quality); in accordance with Article 16 of the Planning and Building (Jersey) Law 2002. Provision of Drainage observations and the comments on Planning Applications. These will be reported to the Minister for noting.

JERSEY PROPERTY HOLDINGS

Legislation:	Standing Order 168 of the Standing Orders of the States of Jersey
Delegate and functions delegated:	<p>Authority is delegated to the Chief Officer or, in their absence, to the Director of Estates or the Assistant Directors, Property Holdings, for the power to approve the following actions –</p> <ul style="list-style-type: none"> • any acquisition or disposal of land or property on behalf of the Public for a consideration of up to £500,000; • 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 amounts of up to £500,000; • 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 variation of any lease where the value is less than £50,000 a year. <p>This Standing Order applies to the following actions –</p> <ol style="list-style-type: none"> (a) the acquisition, disposal, letting or rental of land on behalf of the Public of Jersey (other than the agreement of altered boundaries); (b) the agreement of boundaries, or of altered boundaries, on behalf of the Public of Jersey; (c) the acquisition, grant, variation or cancellation of rights or servitudes over land on behalf of the Public of Jersey; (ca) the renewal, extension, variation or cancellation of any lease of land on behalf of the Public of Jersey; (d) the approval of plans for the construction or alteration of buildings where the work is to be funded wholly or partly by money voted by the States.

Legislation:	Standing Order 168 – Land Transactions – Signing of Contracts
Delegate and functions delegated:	<p>Responsibility for signing the contract is delegated to –</p> <ul style="list-style-type: none"> • the Chief Officer or the Director of Estates, Property Holdings, for contracts with a value up to £1,000,000; • the Director of Estates or, in their absence, the Assistant Directors, Property Holdings, for contracts with a value up to £500,000. <p>Power to authorise H.M. Attorney General and the Greffier of the States to pass any contracts on behalf of the Public of Jersey that may be necessary in regard to land transactions approved by the Minister or their delegates under Standing Order 168 is delegated to the Chief Officer, or the Director of Estates or the Assistant Director, Property Holdings.</p>
Scope of delegation:	Signing of contracts on behalf of the Minister for Infrastructure for work commissioned by Jersey Property Holdings.