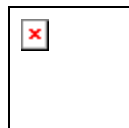


INDUSTRIES COMMITTEE: TERMS OF REFERENCE AND TRANSFER OF FUNCTIONS

**Lodged au Greffe on 26th October 1999
by the Policy and Resources Committee**



STATES OF JERSEY

STATES GREFFE

175

1999

P.176

Price code: C

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

to refer to their Act dated 28th July 1999 approving the establishment with effect from 14th December 1999 of a Committee of the States to be known as the Industries Committee and -

- (a) to approve the terms of reference of the Industries Committee as set out in Appendix A to the report of the Policy and Resources Committee dated 26th October 1999;
- (b) to approve the initial responsibilities of the Industries Committee as set out in Appendix B to the said report;
- (c) to note the draft terms of reference of the Strategic Development Boards, to be established under the authority of the Industries Committee and to function initially as sub-committees of that Committee, as set out in the Appendices to the said report as follows -
 - (i) a Finance Industry Board (Appendix C);
 - (ii) a Communications Industry Board (Appendix D);
 - (iii) a Utilities Board (Appendix E);
 - (iv) a Supply Industry Board (Appendix F);
 - (v) a Construction Industry Board (Appendix G);
 - (vi) a Transportation Industry Board (Appendix H);
 - (vii) an Emerging Industries Board (Appendix I);
- (d) to approve the draft Transfer of Functions (Industries Committee) (Jersey) Act 199 (Appendix J).

POLICY AND RESOURCES COMMITTEE

REPORT

Background

1. The States, in adopting paragraph 10 of P.94/99 on 28th July 1999, charged the Policy and Resources Committee, not later than 16th November 1999, to present to the States for approval -
 - (a) draft terms of reference for the Industries Committee;
 - (b) draft terms of reference for each Strategic Development Board to be established in accordance with paragraph 3 of the proposition.
2. Paragraph 3 of the proposition referred to the establishment, under the authority of the Industries Committee, of Strategic Development Boards for different industries within the Island, to function initially as sub-committees of that Committee and constituted as follows -
 - (a) Chairman, being a member of the Industries Committee;
 - (b) a Vice-Chairman, being a representative of the industry concerned;
 - (c) up to two additional States Members; and
 - (d) up to five additional representatives of the industry concerned;with a quorum comprising two States members and two representatives of the industry concerned, and the appointment and terms of office of persons appointed to each Board being determined by the Committee.
3. Paragraph 25 of the report in P.94 says -

“Reporting on progress

It will readily be seen that a considerable amount of work has been done by the Organising Committee to produce these Stage 1 proposals for the creation of an Industries Committee in line with the decision of the States of 2nd February 1999. However, there is a great deal more work to be done, initially by the Policy and Resources Committee (through the Organising Committee) and then by the Industries Committee itself. It is therefore proposed that the Policy and Resources Committee, not later than 16th November 1999, will present to the States for approval draft terms of reference for the Industries Committee and for each of the Strategic Development Boards that will be set up immediately.”.

4. In adopting paragraph 2 of P.94/99, the States agreed that the overall responsibility of the Industries Committee should be -
 - (a) to develop, implement and maintain a comprehensive industrial strategy for the Island, encompassing responsibility for economic policy as it relates to Industry and the Island’s workforce;
 - (b) to perform a range of regulatory functions through an appropriate regulatory and licensing framework; and
 - (c) to protect the consumer and safeguard the public interest.

The process adopted by the Organising Committee

5. In developing draft terms of reference for the Industries Committee and the Strategic Development Boards, the Organising Committee has followed the principles already approved by the States in July.
6. The States have agreed that the Strategic Development Boards will function initially as sub-committees of the Industries Committee. Article 32 of the States of Jersey Law 1966, as amended, is in the following terms -

“Power of the States to appoint members to Sub-Committees

(1) Any Committee may appoint as members of a Sub-Committee of the Committee any persons, whether members of the States or not, and any person so appointed may exercise all the powers of a member of the Sub-Committee other than a power which involves the expenditure of public monies.

(2) The term of office of persons appointed under this Article shall be such as the Committee may determine and the Committee may revoke any such appointment at any time.”.

8. Since its inception, the Organising Committee has adopted a highly consultative approach. Following the decision of the States of 28th July, despite the absence on holiday of various individuals, regular meetings have continued and progress reports have been forwarded both to the Policy and Resources Committee and to all States members.
9. Representatives of the Island’s industries have participated actively in the preparation of terms of reference for the Strategic Development Boards. The Committee held a “workshop” on 4th October involving approximately 60 people, including States members, representatives of a broad cross-section of industry, and officers from a significant number of States departments. Those present at the workshop discussed in detail the first draft terms of reference for the Strategic Development Boards that had been drawn up in consultation with individual representatives of industry and government. Arising from these discussions a second set of draft terms of reference was produced, incorporating the suggested revisions. On 8th October, the Organising Committee considered the revised terms of reference and discussed them with officers of a number of States Departments affected by the imminent establishment of the Industries Committee and the Strategic Development Boards. At this meeting, the Committee agreed the format and content of the terms of reference for each individual Board and decided that these should be sent for comment to all States members and to those who had contributed towards their preparation.
10. The timescales were very tight. In order that the terms of reference could be debated in the States on 16th November, having taken account of comments received, the preferred date for lodging the report and proposition by the Policy and Resources Committee is 26th October 1999.

Industries Committee - terms of reference

11. The proposed terms of reference for the Industries Committee were developed from the proposition approved by

the States in July and the report that accompanied the proposition. Appendix A provides the terms of reference and sets out the Committee's mandate and long term responsibilities. Appendix B, in addition, sets out the Committee's initial responsibilities.

Strategic Development Boards - draft terms of reference

12. The proposed draft terms of reference for each of the Strategic Development Boards are attached as follows -

- Finance Industry Board - **Appendix C**;
- Communications Industry Board - **Appendix D**;
- Utilities Board - **Appendix E**;
- Supply Industry Board - **Appendix F**;
- Construction Industry Board - **Appendix G**;
- Transportation Industry Board - **Appendix H**;
- Emerging Industries Board - **Appendix I**.

Appointment of members - Industries Committee and Strategic Development Boards

13. The Industries Committee will be a major Committee of the States comprising a President and six other States members. The President will be elected on 9th December and the members will be appointed on 14th December 1999.

14. The composition of the individual Strategic Development Boards will vary. The Organising Committee, in consultation with representatives of the industries concerned, has suggested that the Industries Committee should consider the following -

Finance Industries Board

- Chairman: a member of the Industries Committee;
- two other States members, one of whom should be a member of the Finance and Economics Committee;
- five representatives of the finance industry, one of whom would be the Vice-Chairman.

Communications Industry Board

- Chairman: a member of the Industries Committee;
- one other States member;
- five representatives of the communications industry, one of whom would be Vice-Chairman, and including a representative each from Jersey Post and Jersey Telecoms;
- the IS/IT Strategy Adviser, Policy and Resources Department, should be a professional adviser to the Board.

Utilities Board

- Chairman: a member of the Industries Committee;
- two other States members, one of whom should be a member of the Public Services Committee;
- one representative each from the Jersey Electricity Company, Jersey New Waterworks Company, Jersey Gas and the Fuel Consortium, one of whom would be Vice-Chairman.

Supply Industry Board

- Chairman: a member of the Industries Committee;
- one other States member;
- four representatives of the supply industry, one of whom would be Vice-Chairman.

Construction Industry Board

- Chairman: a member of the Industries Committee;
- a member of the Public Services Committee and a member of the Planning and Environment Committee;
- five representatives of the construction industry, one of whom would be Vice-Chairman.

Transportation Industry Board

- Chairman: a member of the Industries Committee;
- a member of the Jersey Transport Authority and a member of the Public Services Committee;
- five representatives of the Transportation Industry, one of whom would be Vice-Chairman;
- it is desirable that one of the three States members should be a member of the Tourism Committee.

Emerging Industries Board

- Chairman: a member of the Industries Committee;
- two other States members;
- four representatives of the emerging industries, one of whom would be Vice-Chairman;
- the Economic Adviser, Policy and Resources Department, would be a professional adviser to the Board.

15. Those consulted throughout the course of the Organising Committee's work have agreed that the industry representatives on the Boards should be selected and appointed on merit rather than because they happen to hold office in a particular organisation. This is entirely in line with the States Audit Commission's Report - The Proper Conduct of Government, published in July 1999. In the section dealing with the States of Jersey Code of Corporate Governance is the "Statement of Intent" -

"The States of Jersey regards openness, integrity and accountability as essential to the good and proper conduct of government business, supported by selflessness, objectivity, honesty and leadership from all involved in public life."

The Report goes on to cover the States of Jersey Standards of Corporate Governance -

"The States of Jersey require all States Committees, and other public bodies appointed by Act of the States, to direct and control their activities in accordance with the Statement of Intent, and to establish and maintain effective arrangements which will ensure -

- *that public funds are properly safeguarded, are used economically, efficiently and effectively, and in accordance with statutory authority;*
- *that their rôles, objectives and performance are clearly and fully communicated;*
- *the full and effective control of their activities;*
- *openness in their public affairs, subject only to a proper and appropriate level of confidentiality;*
- *that the balance of power and authority is maintained;*
- *that all appointments are based on merit;*
- *that systems of internal control and risk management are effectively maintained, and are subject to independent review;*
- *that conduct is not influenced by prejudice, bias or conflicts of interest;*
- *that an annual statement of compliance with this Code can be made;*
- *that the Annual Report and Accounts of the States of Jersey can state that effective systems of internal control and risk management are established and maintained."*

16. The Organising Committee intends to place a notice in the Jersey Gazette at the earliest opportunity inviting expressions of interest to serve on one of the Strategic Development Boards from individuals or from organisations nominating specific individuals. It will be for the Industries Committee to select appropriate individuals on merit for appointment to the Boards.

INDUSTRIES COMMITTEE**TERMS OF REFERENCE****1. Mandate**

- (a) To form, through Strategic Development Boards, a comprehensive, integrated, industrial and economic strategy for the Island, encompassing responsibility for economic policy as it relates to all industries and the Island's workforce, and to oversee its implementation, once agreed by the States as one of a set of government strategies contained in the States' strategic plan;
- (b) to perform a range of regulatory functions through an appropriate regulatory and licensing framework with the intention of developing an economic regulatory Commission for industries other than the finance industry which will continue to be regulated by the Financial Services Commission;
- (c) to establish an Office of Fair Trading aimed at protecting the consumer and safeguarding the public interest; and
- (d) to ensure that the Island's economic and commercial strategies are portrayed accurately and to promote and enhance the image of the Island as a place to do business.

2. Responsibilities

- (a) To develop, through partnership with the Island's industries, and in consultation with the public, a suitable political philosophy and the strategies, policies and objectives that will ensure a buoyant, diversified and sustainable economy;
- (b) to facilitate the appropriate level of wealth creation in order to provide an acceptable standard of living and quality of life for all Islanders within the population and manpower policies set by the States;
- (c) to appoint Strategic Development Boards, to function as Sub-Committees, to assist the Committee, through a partnership of States Members and industry representatives, to form specific strategies and develop long-term strategic plans for the following industry sectors -
 - finance;
 - communications;
 - utilities;
 - supply;
 - construction;
 - transportation;
 - emerging industries;and to review the terms of reference of the Boards at appropriate intervals and revise them as necessary;
- (d) to provide an agreed level of expenditure to enable the Jersey Consumer Council to carry out its functions and to provide other support and assistance to the Council as appropriate;
- (e) to provide a professional service to the Island in relation to fair trading and economic regulation issues, including the safeguarding of the public interest functions in respect of the Jersey Electricity Company, Jersey New Waterworks Company, Jersey Gas Company and the Fuel Consortium;
- (f) to fulfill the responsibilities previously undertaken by the Broadcasting Committee in relation to all aspects of broadcasting, visual as well as sound (excluding those aspects controlled by United Kingdom authorities), and in particular for taking such action as might, from time to time, be appropriate to facilitate the provision of the best possible sound radio and television coverage for the Island;
- (g) to develop for the functions specified below the necessary regulatory framework and install a regulatory system (including an interim version if necessary) that will ensure optimum commercial competition whilst safeguarding the interests of shareholders, consumers and the general public. Specifically, to -

- undertake the regulatory and licensing functions previously undertaken by the Committee for Postal Administration under the Post Office (Jersey) Law 1969, as amended, and of the Telecommunications Board under the Telecommunications (Jersey) Law 1972, as amended;
 - undertake, initially, the regulatory and licensing functions specified in the draft Postal Services (Jersey) Law 199 /2000 and the draft Telecommunications (Jersey) Law 199 /2000;
- (h) to develop proposals for the creation of an independent regulatory body, similar to the Financial Services Commission, to take over the above regulatory responsibilities, together with appropriate regulatory responsibilities arising from other areas.

INDUSTRIES COMMITTEE

INITIAL RESPONSIBILITIES

- (a) To examine, in conjunction with the Tourism Committee, the case for replacing that Committee with a Tourism Industry Board.
- (b) To examine, in conjunction with the Agriculture and Fisheries Committee, the case for replacing that Committee with a Board or Boards representing the agriculture and fisheries industries.
- (c) To examine, in conjunction with the Finance and Economics Committee, the case for transferring to the Industries Committee the functions of that Committee in relation to the Financial Services Commission.
- (d) To examine, in conjunction with the Jersey Transport Authority, the case for transferring to the Industries Committee the functions of that Committee.
- (e) To develop the Fair Trading Directorate of the Department for Economic and Commercial Development into an Office of Fair Trading, the status of which would be appropriate to the Island.
- (f) To develop further, in conjunction with the Employment and Social Security Committee and the Education Committee, a joint strategy and plan, for States approval if necessary, for the provision of training for industry.
- (g) To investigate, in conjunction with the Employment and Social Security Committee, the future discharge of all employment functions, and to report back to the States with recommendations.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
FINANCE INDUSTRY BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, through partnership with the finance industry, a suitable vision for the industry and the strategies, policies and objectives which will help to ensure that this is achieved.

2. **Scope**

The Board will represent the finance industry generally and more specifically, but not exclusively, banks, trust companies, lawyers, accountants, investment managers, tax advisers, insurance companies, fund managers, stockbrokers, company administrators and compliance officers.

3. **Responsibilities**

- (a) To help shape Island strategy in relation to the finance industry and enable the industry to maintain high standards, to operate at the optimum level and to capitalise on global developments, increasing the Island's competitiveness within world markets.
- (b) To help ensure the continued success and development of the finance industry in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To advise the Industries Committee on whether existing or proposed legislation is consistent with the Island strategy in relation to the Finance Industry.
- (d) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (e) To endeavour to create within the finance sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.
- (f) To exploit the full potential of Information and Communications Technology as it relates to the Finance Industry.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Finance Industry Board should work closely with -

- the Finance and Economics Committee;
- the Jersey Financial Services Commission;
- the Jersey Information Society Commission.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
COMMUNICATIONS INDUSTRY BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive global strategy for the development of the Island's communications services whilst protecting the consumer and safeguarding the public interest.

2. **Scope**

The Board will represent the communications industry generally and specifically, but not exclusively, ICT, telecommunications services, postal and courier services, broadcasting/media.

The commercial and non-postal distribution of parcels and larger freight will be represented by the Transportation Industry Board.

3. **Responsibilities**

- (a) To help shape Island strategy in relation to the communications industry.
- (b) To help ensure the continued success and development of the communications industry in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the communications sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Communications Industry Board should work closely with -

- the Jersey Information Society Commission;
- the "Offshore" Authorities.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
UTILITIES BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive strategy for the development of the Island's utilities whilst protecting the consumer and safeguarding the public interest.

2. **Scope**

The Board will represent the utility industries involved in the supply and distribution of all energy sources and water. These include the Jersey Electricity Company, the Jersey New Waterworks Company, Jersey Gas and the Fuel Consortium.

Only core supply and distribution activities of any Utility will be included. Other Boards will represent all other activities.

3. **Responsibilities**

- (a) To help shape a sustainable Island strategy in relation to the utilities including conservation and waste minimisation/disposal.
- (b) To help ensure the continued success and development of the utilities in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the utilities sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Utilities Board should work closely with -

- the Public Services Committee/Department.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
SUPPLY INDUSTRY BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive strategy for the development of the supply industry whilst protecting the consumer and safeguarding the public interest.

2. **Scope**

The Board will represent the distributive industries generally and specifically, but not exclusively, wholesale, retail and recycling. Retailing will include organisations supplying goods and/or services from premises or outlets.

The distribution of goods from wholesalers and retailers for local consumption will be represented by the Supply Industry Board.

Postal, couriers and analogous services will be represented by the Communications Industry Board.

The commercial and non-postal third party distribution of parcels and larger freight will be represented by the Transportation Industry Board.

3. **Responsibilities**

- (a) To help shape Island strategy in relation to the supply industry.
- (b) To help ensure the continued success and development of the supply industry in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the supply sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Supply Industry Board should work closely with -

- the Jersey Information Society Commission.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
CONSTRUCTION INDUSTRY BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive strategy for the development of the Island's construction industry whilst protecting the consumer and safeguarding the public interest.

2. **Scope**

The Board will represent the construction industry generally and specifically, but not exclusively, building and civil construction (main contractors and sub-contractors), associated professionals (including architects, quantity surveyors, structural and civil engineers, mechanical and electrical engineers).

3. **Responsibilities**

- (a) To help shape States' strategy in relation to the construction industry.
- (b) To help ensure the continued success and development of the construction industry in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the construction sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Construction Industry Board should work closely with -

- the Public Services Committee/Department;
- the Planning and Environment Committee/Department.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
TRANSPORTATION INDUSTRY BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive strategy for the development of the Island's transportation industry whilst protecting the consumer and safeguarding the public interest.

2. **Scope**

The Board will represent the transportation industry generally and specifically, but not exclusively, commercial shipping and air services, on-Island public transportation (buses/coaches/taxis/ cabs/Petit Train etc.) and road haulage to and from the air and sea ports and the recipient.

The distribution of goods from wholesalers and retailers for local consumption will be represented by the Supply Industry Board.

3. **Responsibilities**

- (a) To help shape Island strategy in relation to the transportation industry.
- (b) To help ensure the continued success and development of the transportation industry in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the transportation sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Transportation Industry Board should work closely with -

- the Jersey Transport Authority;
- the Harbours and Airport Committee (and Jersey Harbours/ Jersey Airport);
- the Public Services Committee/Department;
- the Tourism Committee/Department.

INDUSTRIES COMMITTEE
STRATEGIC DEVELOPMENT BOARDS
EMERGING INDUSTRIES BOARD
DRAFT TERMS OF REFERENCE

1. **Mandate**

To develop, implement and maintain a comprehensive strategy for the development of the Island's emerging industries whilst protecting the consumer and safeguarding the public interest. To create a climate that encourages the planning and development of new industries and enterprises.

2. **Scope**

The Board will represent the emerging industries generally and specifically for the time being, but not exclusively, marine leisure, light industry, film and multimedia industries, e-commerce and new ventures.

3. **Responsibilities**

- (a) To help shape Island strategy in relation to the emerging industries, with the aim of including them within the terms of reference of other Boards at an appropriate time, unless they justify the formation of a separate Strategic Development Board.
- (b) To help ensure the continued success and development of the emerging industries in order to maintain the Island's economic prosperity - this aim to be accomplished within the overall States' strategy for industry and commerce with a view to achieving a more diverse Island economy.
- (c) To use its best endeavours to encourage the most efficient use of manpower in the business sector for which it is responsible.
- (d) To safeguard the public interest in terms of continuity and the cost of service provision within the manpower constraints imposed at any time by overall States policy, and acting within other economic guidelines which may from time to time be imposed.
- (e) To endeavour to create within the emerging industries sector a climate which encourages training, development, and career progression for the local population, thus minimising the necessity of importing external labour and expertise.
- (f) To consider and support grant-aiding new ventures, within guidelines to be discussed and agreed.
- (g) To encourage the emergence of new ideas for enterprises appropriate to the Island's size, population and environment.

4. **Primary linkages**

All Strategic Development Boards will need to establish close links with each other and with organisations representing the Island's industries. In addition, the Emerging Industries Board should work closely with -

- the Training and Employment Partnership;
- Jersey Business Venture;
- Jersey Tourism;
- Jersey Harbours;
- the Jersey Information Society Commission;
- the Jersey Financial Services Commission.

States of Jersey Law 1966

TRANSFER OF FUNCTIONS (INDUSTRIES COMMITTEE) (JERSEY) ACT 199

(Promulgated on the day of 199)

STATES OF JERSEY

The day of 199

THE STATES, in pursuance of Article 29 of the States of Jersey Law 1966,^[1] as amended,^[2] and all other powers enabling them in that behalf, have made the following Act -

1. In this Act, “Transferring Committee” means -

- (a) the Finance and Economics Committee;
- (b) the Public Services Committee;
- (c) the Broadcasting Committee; or
- (d) the Policy and Resources Committee,

as the case may be.

2. There are hereby transferred to the Industries Committee -

- (a) the functions of the Finance and Economics Committee under the Regulation of Undertakings and Development (Jersey) Law 1973,^[3] as amended;^[4]
- (b) the power and duty, presently the responsibility of the Finance and Economics Committee, of representing the States in the matters specified in Article 31 of the Electricity (Jersey) Law 1937, as amended;^[5]
- (c) the functions of the Public Services Committee in relation to -
 - (i) the presentation to the States of Regulations in connection with water rates and charges under Article 14 of the Water (Jersey) Law 1972,^[6] as amended, and
 - (ii) the accounts of The Jersey New Waterworks Company Limited under Article 22 of that Law;^[7]
- (d) the functions of the Public Services Committee under the Weights and Measures (Jersey) Law 1967,^[8] as amended;^[9]
- (e) the functions of the Broadcasting Committee; and
- (f) the responsibilities of the Policy and Resources Committee in relation to the Jersey Consumer Council.

3.-(1) In the construction of, and for the purposes of, any enactment (including an enactment of the Parliament of the United Kingdom extended to the Island by Order in Council), or any judgment, award, contract, certificate or other document passed or made before the coming into force of this Act, anything which is, or is to be construed as, a reference to a Transferring Committee or its officers shall, so far only as may be necessary for and in consequence of the transfer of

functions effected by this Act, be construed as a reference to the Industries Committee or its officers.

(2) The transfer of functions effected by this Act shall not prejudice the operation of any appointment, determination, direction, instruction, approval, consent, requirement, authorization or other thing made, given or done by a Transferring Committee in relation to the functions transferred by this Act and before the coming into force thereof, 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 Industries Committee.

(3) Anything commenced before the coming into force of this Act by or under the authority of a Transferring Committee may, so far as it relates to any functions transferred by this Act, be carried on and completed by or under the authority of the Industries Committee.

(4) Where at the coming into force of this Act any legal proceeding is pending to which a Transferring Committee is a party and the proceeding has reference to any of the functions transferred by this Act, the Industries Committee shall be substituted in the proceeding for the Transferring Committee, and the proceeding shall not abate by reason of the substitution.

4. This Act may be cited as the Transfer of Functions (Industries Committee) (Jersey) Act 199 and shall come into force on the fourteenth day of December 1999.

Explanatory Note

The purpose of this Act is to transfer to the Industries Committee -

- (a) certain statutory functions which are currently the responsibility of the Finance and Economics Committee and the Public Services Committee;
- (b) all the functions of the Broadcasting Committee; and
- (c) the responsibilities of the Policy and Resources Committee in relation to the Jersey Consumer Council.

[1] Recueil des Lois, Volume 1966-1967, page 16.

[2] Recueil des Lois, Volume 1996-1997, page 803.

[3] Recueil des Lois, Volume 1973-1974, page 111.

[4] Recueil des Lois, Volume 1975-1978, page 2, Volume 1984-1985, page 201, Volume 1986-1987, page 241, Volume 1988-1989, page 168, Volume 1992-1993, page 89, Volume 1994-1995, page 129, Volume 1996-1997, page 1055, and No. 7588.

[5] Recueil des Lois, Tome VII, page 246.

[6] Recueil des Lois, Volume 1970-1972, page 321.

[7] Recueil des Lois, Volume 1970-1972, page 328.

[8] Recueil des Lois, Volume 1966-1967, page 625.

[9] Nos. 6252, 8103, 8173, 8179, 8180 and 8181.