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# STATES OF JERSEY



## STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – SOCIAL SECURITY – APPOINTMENT OF DETERMINING OFFICERS

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Presented to the States on 10th February 2012  
by the Minister for Social Security

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STATES GREFFE

## REPORT

On 8th February 2012, the Minister for Social Security made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-S-2012-0011, available at [www.gov.je](http://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 –

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 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.”

<b>Legislation:</b>	Social Security (Jersey) Law 1974, Article 33.
<b>Delegate:</b>	Controller of the Social Security Department and, in his absence, the Operations Director.
<b>Function delegated:</b>	The power to appoint Determining Officers for the determination of any question arising under or in connection with this Law, including any claim for benefit.

<b>Legislation:</b>	Income Support (Jersey) Law 2007, Article 9.
<b>Delegate:</b>	Controller of the Social Security Department and, in his absence, the Operations Director.
<b>Function delegated:</b>	The power to appoint Determining Officers for the determination of any claim under this Law.

<b>Legislation:</b>	Invalid Care Allowance (Jersey) Law 1978, Article 8.
<b>Delegate:</b>	Controller of the Social Security Department and, in his absence, the Operations Director.
<b>Function delegated:</b>	The power to appoint Determining Officers for the determination of any claim under this Law.

<b>Legislation:</b>	Health Insurance (Jersey) Law 1967, Article 28.
<b>Delegate:</b>	Controller of the Social Security Department and, in his absence, the Operations Director.
<b>Function delegated:</b>	The power to appoint Determining Officers for the determination of any question arising under or in connection with this Law, including any claim for benefit.