

STATES OF JERSEY

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DRAFT TRANSFER OF FUNCTIONS (POLICY AND RESOURCES COMMITTEE) (JERSEY) ACT 200-

**Lodged au Greffe on 14th October 2003
by the Policy and Resources Committee**

STATES GREFFE



Jersey

DRAFT TRANSFER OF FUNCTIONS (POLICY AND RESOURCES COMMITTEE) (JERSEY) ACT 200-

REPORT

On 24th July 2002 the States adopted the proposition of the Policy and Resources Committee, as amended (P.70/2002), in which they approved reforms to the machinery of government and agreed that not more than 10 departments of government should be established, one of which being the Chief Minister's Department with responsibilities that included some that are presently the responsibility of the Finance and Economics Committee.

The States also decided the arrangements that would apply during the transitional period, including reference to the current Policy and Resources Committee, which would be responsible for matters that would ultimately fall to the Chief Minister's Department.

This Act will transfer to the Policy and Resources Committee functions of the Finance and Economic Committee under existing legislation that relate to diplomatic privileges and immunities. Two Laws will be affected by this transfer, and their purposes are summarized below –

(a) **Privileges and Immunities (Diplomatic, Consular etc.) (Jersey) Law 1998:**

This Law gives effect to the Vienna Convention on diplomatic and consular relations, and makes provision for certain diplomatic privileges and immunities;

(b) **Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998:**

This Law also relates to the Vienna Convention, and it gives effect to a U.K. Order in Council which makes provision for the conferring of privileges or immunities to any economic or trade office that might be established in the United Kingdom or Jersey by the Hong Kong Special Administrative Region.

This draft Law has no implications for the financial or manpower resources of the States.

Note: The Finance and Economics Committee supports this draft Act.

Explanatory Note

This Act transfers the functions of the Finance and Economics Committee under the Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998 and the Privileges and Immunities (Diplomatic, Consular, etc.) (Jersey) Law 1998 to the Policy and Resources Committee.

The Act makes the usual provision for the construction of enactments, contracts and other instruments, and for the continuation of matters, including any proceedings.



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Arrangement

Article

- 1 Interpretation
- 2 Functions under legislation transferred
- 3 Construction and transitional provisions
- 4 Citation and commencement



Jersey

DRAFT TRANSFER OF FUNCTIONS (POLICY AND RESOURCES COMMITTEE) (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,^[1] have made the following Act –

1 Interpretation

In this Act –

“transferring Committee” means the Finance and Economics Committee;

“receiving Committee” means the Policy and Resources Committee.

2 Functions under legislation transferred

There are transferred to the receiving Committee the functions of the transferring Committee under the Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998^[2] and the Privileges and Immunities (Diplomatic, Consular, etc.) (Jersey) Law 1998.^[3]

3 Construction and transitional provisions

- (1) In the Laws mentioned in Article 2 and any subordinate legislation made under them, any reference to the transferring Committee shall be construed as a reference to the receiving Committee.
- (2) In the construction of, and for the purposes of, any other enactment, or any judgment, award, contract, certificate or other document passed or made before this Act comes into force, anything that is, or is to be construed as, a reference to the transferring Committee or its officers shall, so far only as may be necessary for and in consequence of the transfer of functions effected by Article 2, be construed as a reference to the receiving Committee or its officers.
- (3) The transfer of functions effected by Article 2 shall not prejudice the operation of any appointment, determination, direction, instruction, approval, consent, requirement, authorization or other thing made, given or done by the transferring Committee before the time when this Act comes into force in relation to the functions transferred by Article 2, 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 receiving Committee.
- (4) Anything commenced before this Act comes into force by or under the authority of the transferring Committee may, so far as it relates to the functions transferred by Article 2, be carried on and completed by or under the authority of the receiving Committee.

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

4 Citation and commencement

This Act may be cited as the Transfer of Functions (Policy and Resources Committee) (Jersey) Act 200- and shall come into force 7 days after it is made.

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

[2] *Recueil des Lois, Volume 1998, page 11.*

[3] *Recueil des Lois, Volume 1998, page 19.*