
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – HOUSING – NOVEMBER 2011 REVISED DELEGATIONS

Presented to the States on 30th November 2011
by the Minister for Housing

STATES GREFFE

REPORT

On 28th November 2011, the Minister for Housing made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-H-2011-0112, available at 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 –

Background

Article 28 of the States of Jersey Law 2005 allows a Minister to delegate any function for which he has responsibility, to an Assistant Minister or an Officer. Such delegations can be particularly useful in ensuring that decisions can be made at times when the Minister may be unavailable.

No delegations made prevent the Minister from exercising those functions personally.

Delegations

1. In pursuance of Article 28(1)(a) of the States of Jersey Law 2005, the Minister delegates all powers and functions in respect of the Housing Department, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Connétable John Martin Refault of St. Peter, for any periods when he is unavailable or out of the Island.
2. In pursuance of Article 28(1)(b) of the States of Jersey Law 2005, the Minister delegates to the Chief Officer of the Housing Department the following delegated powers with immediate effect –
 - (a) **Sales of property to States tenants in accordance with P.6/2007, Social Housing Property Plan 2007–2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with HD20 Allocations Policy for Sales and HD22 Valuation Policy for Sales.
 - (b) **Open market sales in accordance with P.6/2007, Social Housing Property Plan 2007–2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with P.6/2007 and HD22 Valuation Policy for Sales.
 - (c) **Evictions of States tenants due to rent arrears or other breaches of the Tenancy Agreement.**
Function delegated – the power to agree to the eviction of States tenants where a breach of the tenancy agreement can be evidenced.

(d) **Increases in non-social rented charges and fees, specifically those associated with Paid Parking and Garage lettings.**

Function delegated – specifically the power to increase those charges in line with the requirements of Financial Direction 4.1

(e) **Scheme of Delegation**

Function delegated – the Minister delegates authority for maintaining the Department's scheme of delegation in respect of entering into contracts and authorized signatory lists to the Accounting Officer of the Housing Department.

3. This Report supersedes R.39/2011, States of Jersey Law 2005: delegation of functions – Housing – March 2011 revised delegations, which was presented to the States on 1st April 2011.