

# STATES OF JERSEY



## DRAFT PUBLIC FINANCES (CONSEQUENTIAL AMENDMENTS) (JERSEY) REGULATIONS 200-

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Lodged au Greffe on 27th September 2005  
by the Finance and Economics Committee

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STATES GREFFE





Jersey

## **DRAFT PUBLIC FINANCES (CONSEQUENTIAL AMENDMENTS) (JERSEY) REGULATIONS 200-**

### **REPORT**

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In January 2005 the States approved the Public Finances (Jersey) Law and this subsequently received Royal Assent in July 2005 with the intent that the Law becomes effective on 2 dates, the first from the commencement of Ministerial government and the second from 1st January 2006. The attached area of legislation is required as a consequence of the move to the new Law.

The purpose of these Regulations is to substitute or remove certain terms which were previously referred to in the 1967 Finance Law and used in other legislation and to replace, where necessary, with updated terminology used in the 2005 Finance Law.

It will be noted that in the majority of cases the amendments are minor and very straightforward, and consist of, for example, the removal of the term “out of the general revenues of the States” from the legislation. In other cases the changes involve the replacement of the term “States Auditor” with the “Comptroller and Auditor General”.

There are no financial or manpower implications for the States arising from the adoption of these Regulations.

## **Explanatory Note**

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These Regulations make, as a consequential of the coming into force of the Public Finances (Jersey) Law 2005, necessary amendments to other enactments.





Jersey

## **DRAFT PUBLIC FINANCES (CONSEQUENTIAL AMENDMENTS) (JERSEY) REGULATIONS 200-**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES**, in pursuance of Article 72 of the Public Finances (Jersey) Law 2005<sup>[\[1\]](#)</sup> have made the following Regulations –

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### **1 Amendment of other enactments**

An enactment specified in Column 2 of the table set out in the Schedule to these Regulations is amended in the manner set out in Column 3 of that table.

### **2 Citation and commencement**

- (1) These Regulations may be cited as the Public Finances (Consequential Amendments) (Jersey) Regulations 200-.
- (2) They shall come into force on the same date as Part 2 of the Public Finances (Jersey) Law 2005.

## SCHEDULE

(Regulation 1)

### ENACTMENTS AMENDED

Item	Enactment	Amendment
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
1	Administrative Decisions (Review) (Jersey) Law 1982 <sup>[2]</sup>	Article 12 is repealed.
2	Agriculture (Loans) (Jersey) Regulations 1974 <sup>[3]</sup>	In Regulation 2(1) for the words “by the Finance and Economics Committee in exercise of its borrowing power under Article 27 of the Public Finances (Administration) (Jersey) Law 1967’ substitute the words “by the States”.
3	Agricultural Marketing (Jersey) Law 1953 <sup>[4]</sup>	Article 21 is repealed.
4	Agricultural Returns (Jersey) Law 1947 <sup>[5]</sup>	Article 5 is repealed.
5	Airport Dues (Jersey) Law 1956 <sup>[6]</sup>	Article 7 is repealed.
6	Artificial Insemination of Domestic Animals (Jersey) Law 1952 <sup>[7]</sup>	Article 8 is repealed.
7	Census (Jersey) Law 1951 <sup>[8]</sup>	Article 5 is repealed.
8	Certificates of Origin (Produce of the Soil) (Jersey) Law 1961 <sup>[9]</sup>	Article 8 is repealed.
9	Civil Aviation (Supplementary Provisions) (Jersey) Law 1955 <sup>[10]</sup>	Article 6 is repealed.
10	Civil Defence (Jersey) Law 1952 <sup>[11]</sup>	Article 7 is repealed.
11	Competition Regulatory Authority (Jersey) Law 2001 <sup>[12]</sup>	Article 11 is repealed.
12	Court of Appeal (Jersey) Law 1961 <sup>[13]</sup>	Article 6(2) is repealed.
13	Costs in Criminal Cases (Jersey) Law 1961 <sup>[14]</sup>	For Article 1(1) substitute the following paragraph – “(1) In this Law, ‘public fund’ means money of the States.”.  In Article 4 for the words “the sum specified in the order” substitute the

		words “the sum specified in the order from any money made available for the purpose by an expenditure approval, as that term is defined by the Public Finances (Jersey) Law 2005”.
14	Departments of the Judiciary and the Legislature (Jersey) Law 1965 <a href="#">[15]</a>	In Article 8(3) for the words “into the General Revenues of the States” substitute the words “to the States”.
15	Dwelling-Houses (Rent Control) (Jersey) Law 1946 <a href="#">[16]</a>	In Article 3 delete paragraph (5).
16	Extinguishment of Roads (Jersey) Law 1972 <a href="#">[17]</a>	In Article 3(4)(b) delete the words “, out of the General Revenues of the States”.
17	Fertilisers and Feeding Stuffs (Jersey) Law 1950 <a href="#">[18]</a>	Articles 21(2) and (3) are repealed.
18	Fire Service (Jersey) Law 1959 <a href="#">[19]</a>	Article 12 is repealed.
19	Harbour and Light Dues (Jersey) Law 1947 <a href="#">[20]</a>	Article 9 is repealed.
20	Harbours (Jersey) Regulations 1962 <a href="#">[21]</a>	In Regulation 2(2) delete the words “who shall credit the same to the General Revenues of the States”.  In Regulation 45(5) delete the words “who shall credit the same to the General Revenues of the States”.
21	Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989 <a href="#">[22]</a>	In Regulation 6 delete the words “out of the general revenues of the States”.
22	Health Insurance (Jersey) Law 1967 <a href="#">[23]</a>	In Article 1(1) delete the words “ ‘States’ Auditor’ means the auditor of the public accounts of the States.”.  In Article 21(2) for the words “States’ Auditor” (twice appearing) substitute the words “Comptroller and Auditor General”.
23	Income Tax (Jersey) Law 1961 <a href="#">[24]</a>	In Article 3(1) delete the words “ ‘States’ Auditor’ means the auditor of the public accounts of the States;”.  In Article 12 for the words “States’ Auditor” (twice appearing) substitute the words “Comptroller and Auditor General”.  In Article 141 for the words “belong to the general revenues of the States” substitute the words “be paid into the consolidated fund”.



24	Income Tax (Purchased Life Annuities) (Jersey) Order 1959 <sup>[25]</sup>	In Article 1 delete the words “ ‘States’ Auditor’ has the meaning assigned thereto by Article 1 of the Public Finances (Administration) (Jersey) Law 1967”.  In Article 4 for the words “States’ Auditor” substitute the words “Comptroller and Auditor General”.
25	Industrial Disputes (Jersey) Law 1956 <sup>[26]</sup>	Article 16 is repealed.
26	Industrial Disputes (Scale of Fees) (Jersey) Regulations 1960 <sup>[27]</sup>	In Regulation 1 delete the words “from the General Revenues of the States”.
27	Jersey Advisory and Conciliation (Jersey) Law 2003 <sup>[28]</sup>	Paragraph 8 of the Schedule is repealed.
28	Jersey Gas Company (Jersey) Law 1989 <sup>[29]</sup>	In Article 37(2) for the words– “member of one or more of the institutions or associations mentioned in Article 11(1) of the Public Finances (Administration) (Jersey) Law, 1967” substitute the words – “person qualified to be appointed to audit the accounts of a company in accordance with Article 109 of the Companies (Jersey) Law,”.  In Article 43(1) for the words– “member of one or more of the institutions or associations mentioned in Article 11(1) of the Public Finances (Administration) (Jersey) Law, 1967” substitute the words – “person qualified to be appointed to audit the accounts of a company in accordance with Article 109 of the Companies (Jersey) Law”.
29	Law Reform (Miscellaneous Provisions) (Jersey) Law 1967 <sup>[30]</sup>	For Article 5(1)(a) substitute the following sub-paragraph – “(a) shall be awarded for the benefit of a fund administered by the States or by an administration of the States, or for the benefit of an administration of the States or of a department or institution administered by the States, or for the benefit of a common informer, or shall be applied for a public

		purposes, the same shall be paid into the consolidated fund;”.
30	Magistrate’s Court (Miscellaneous Provisions) (Jersey) Law 1949 <sup>[31]</sup>	Article 23(5) is repealed. For Article 26(3) substitute the following paragraph – “(3) Costs ordered to be paid under this Part to the prosecution may be recovered as a civil debt due to the States.”.
31	Matrimonial Causes (Jersey) Law 1949 <sup>[32]</sup>	Article 22(3) is repealed.
32	Merchandise Marks (Jersey) Law 1958 <sup>[33]</sup>	In Article 23(2) for the words “shall be paid into the General Revenues of the States” substitute “may be retained by the States”.
33	Motor Traffic (Third-Party Insurance) (Jersey) Law 1948 <sup>[34]</sup>	In Article 20(2)(c) for the words “and the other half for the benefit of the General Revenues of the States” substitute the words “and the other half shall be paid into the consolidated fund”.
34	National Service (Jersey) Law 1954 <sup>[35]</sup>	Article 40 is repealed.
35	Non-Contributory Pensions (Jersey) Law 1954 <sup>[36]</sup>	Article 17 is repealed.
36	Opticians (Registration) (Jersey) Law 1962 <sup>[37]</sup>	Article 7(4) is repealed.
37	Patents (Jersey) Law 1957 <sup>[38]</sup>	Article 24(2) is repealed.
38	Plant Health (Jersey) Law 2003 <sup>[39]</sup>	In Article 6(1) for the words “the States may, on the recommendation of the Committee, pay compensation out of the general revenues of the States to the owner of the crop” substitute the words “the Minister may pay compensation to the owner of the crop”.
39	Postal Services (Jersey) Law 2004 <sup>[40]</sup>	Article 38(4)(a) is repealed.
40	Prison (Jersey) Law 1957 <sup>[41]</sup>	Article 31 is repealed.
41	Public Health (Vessels and Aircraft) (Jersey) Law 1950 <sup>[42]</sup>	Article 5 is repealed.
42	Registered Designs (Jersey) Law 1957 <sup>[43]</sup>	Article 20(2) is repealed.
43	Road Traffic (Removal of	In Article 16 delete the words “the

	Vehicles) (Jersey) Order 1963 <sup>[44]</sup>	General Revenues of”.
44	Royal Court (Jersey) Law 1948 <sup>[45]</sup>	Article 5 is repealed.
45	Social Security (Jersey) Law 1974 <sup>[46]</sup>	In Article 30(4) for the words “States’ Auditor” (twice appearing) substitute the words “Comptroller and Auditor General”.
46	Stamp Duties and Fees (Jersey) Law 1998 <sup>[47]</sup>	Article 2(8) is repealed.
47	Telecommunications (Jersey) Law 2002 <sup>[48]</sup>	In Article 41(4) delete the words– “for the purposes of Article 21 of the Public Finances (Administration) (Jersey) Law 1967, and for other purposes,”.
48	Tourism (Jersey) Law 1948 <sup>[49]</sup>	Article 33 is repealed.

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- [1] L.14/2005.
- [2] Chapter 16.025.
- [3] Chapter 01.400.25.
- [4] Chapter 01.160.
- [5] Chapter 01.240.
- [6] Chapter 03.315.
- [7] Chapter 01.480.
- [8] Chapter 15.040.
- [9] Chapter 01.560.
- [10] Chapter 03.630.
- [11] Chapter 23.075.
- [12] Chapter 05.075.
- [13] Chapter 07.245.
- [14] Chapter 08.100.
- [15] Chapter 16.300.
- [16] Chapter 18.270.
- [17] Chapter 25.100.
- [18] Chapter 01.800.
- [19] Chapter 23.175.
- [20] Chapter 19.080.
- [21] Chapter 19.060.60.
- [22] Chapter 05.300.30.
- [23] Chapter 26.500.
- [24] Chapter 24.750.
- [25] Chapter 24.750.40.
- [26] Chapter 05.375.
- [27] Chapter 05.375.50.
- [28] Chapter 05.400.
- [29] Chapter 27.300.
- [30] Chapter 04.600.
- [31] Chapter 07.595.
- [32] Chapter 12.650.
- [33] Chapter 05.550.
- [34] Chapter 25.250.
- [35] Chapter 23.275.
- [36] Chapter 26.700.
- [37] Chapter 20.750.

[\[38\]](#) Chapter 05.575.

[\[39\]](#) L.30/2003.

[\[40\]](#) L.26/2004.

[\[41\]](#) Chapter 23.775.

[\[42\]](#) Chapter 20.800.

[\[43\]](#) Chapter 05.700.

[\[44\]](#) Chapter 25.550.40.

[\[45\]](#) Chapter 07.770.

[\[46\]](#) Chapter 26.900.

[\[47\]](#) Chapter 24.960.

[\[48\]](#) Chapter 06.288.

[\[49\]](#) Chapter 05.850.