

# **STATES OF JERSEY**



## **STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – ASSISTANT MINISTER FOR HOME AFFAIRS**

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**Presented to the States on 2nd March 2009  
by the Minister for Home Affairs**

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**STATES GREFFE**

## **REPORT**

On 26th February 2009, the Minister for Home Affairs made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MDHA-2009-0014, 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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### **Introduction**

Article 28 of the States of Jersey Law 2005 permits a Minister to delegate, wholly or partly, functions to an Assistant Minister.

The Law states that –

- “(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.”

### **Delegation**

In case of his absence or unavailability due to illness and in accordance with Article 28 of the States of Jersey Law 2005, the Minister for Home Affairs, Senator B.I. Le Marquand, delegates his powers and functions, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Deputy J.A. Hilton of St. Helier.