

STATES OF JERSEY

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DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 2)(JERSEY) REGULATIONS 200

**Lodged au Greffe on 22nd March 2005
by the Policy and Resources Committee**

STATES GREFFE



Jersey

**DRAFT STATES OF JERSEY (AMENDMENTS AND
CONSTRUCTION PROVISIONS No. 2)(JERSEY)
REGULATIONS 200**

REPORT

The report relating to this projet is published within P.55/2005.

Explanatory Note

These Regulations amend enactments which confer functions upon the Finance and Economics Committee. The amendments are consequential upon the transfer of functions from that Committee to the Minister for Treasury and Resources. The transfer, and these amendments, will take effect when the first Council of Ministers is appointed to office.

The amendments do no more than substitute a reference to the Minister for Treasury and Resources for a reference to the Finance and Economics Committee. Where an enactment for which the Finance and Economics Committee has responsibility includes a reference to another Committee, that reference is simply substituted by a reference to the Minister taking that Committee's responsibilities.



Jersey

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SCHEDULE

SUBORDINATE ENACTMENT AMENDED



Jersey

DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 2)(JERSEY) REGULATIONS 200

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 49 of the States of Jersey Law 2005^[1] have made the following Regulations –

1 Currency Notes (Jersey) Law 1959– amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Currency Notes (Jersey) Law 1959^[2]
- (2) Before Article 1 there shall be inserted the following Article–

“A1 Interpretation

In this Law, ‘Minister’ means the Minister for Treasury and Resources.”.

- (3) In Article 1(1) for the words “the Committee” there shall be substituted the words “the Minister”.
- (4) In the following provisions for the words “Finance and Economics Committee” in each place where they appear there shall be substituted the word “Minister” –
 - (a) Article 1(1);
 - (b) Article 2;
 - (c) Article 5.

2 Income Tax (Jersey) Law 1961– amendments relating to other Ministers

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Income Tax (Jersey) Law 1961^[3]
- (2) In Article 13(1)–
 - (a) for the words “President of the Policy and Resources Committee” there shall be substituted the words “Chief Minister”;
 - (b) for the words “a member or officer of either of those Committees” there shall be substituted the words “officer in an administration of the States for which either the Minister or the Chief Minister is assigned responsibility”.
- (3) In Article 13A for the words “Employment and Social Security Department” there shall be substituted the words “the administration of the States for which the Minister for Social Security is

assigned responsibility”.

- (4) In Article 115(n) for the words “by the Education, Sport and Culture Committee” there shall be substituted the words “by the Minister for Education, Sport and Culture”.
- (5) In Article 115(o) for the words “a child in the care of the Health and Social Services Committee under Article 90 of the Children (Jersey) Law 1969” there shall be substituted the words “a child in the care of the Minister within the meaning of the Children (Jersey) Law 200”.

3 Income Tax (Jersey) Law 1961– further amendments

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Income Tax (Jersey) Law 1961^[4]
- (2) In Article 3(1) after the definition “minimum retirement income” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Treasury and Resources;”.

- (3) For Article 13(2) there shall be substituted the following paragraph–

“(2) In this Article, ‘officer’ shall have the same meaning as in Article 25(7) of the States of Jersey Law 2005”.

- (4) In the following provisions for the words “President of the Finance and Economics Committee” in each place where they appear there shall be substituted the word “Minister” –
 - (a) Article 10(4);
 - (b) Article 13(1).
- (5) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Schedule 2, paragraph 19;
 - (b) Schedule 3, paragraph 6.
- (6) In the following provisions for the words “Finance and Economics Committee” in each place where they appear there shall be substituted the word “Minister” –
 - (a) Article 7;
 - (b) Article 10(1), (4) and (5);
 - (c) Article 13A;
 - (d) Article 65B(7);
 - (e) Article 114;
 - (f) Article 118A;
 - (g) Article 131(5);
 - (h) Article 131B(10);
 - (i) Article 131D(11);
 - (j) Article 131E(4) and (9);
 - (k) Article 131F(4);
 - (l) Article 132(8);
 - (m) Article 144(1).

4 Public Utilities Undertakings (Guarantees on Loans) (Jersey) Law 1963– amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Public Utilities

Undertakings (Guarantees on Loans) (Jersey) Law 1963^[5]

- (2) In Article 1 for the definition “Committee” there shall be substituted the following definition –
“ ‘Minister’ means the Minister for Treasury and Resources;”.
- (3) In Article 2(1) for the words “as it thinks fit” there shall be substituted the words “as the Minister thinks fit”.
- (4) In Article 2(1), (2) and (3), and the heading to the Article, for the word “Committee” in each place where it appears there shall be substituted the word “Minister”.

5 Decimal Currency (Jersey) Law 1971– amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Decimal Currency (Jersey) Law 1971^[6]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “enactment” there shall be inserted the following definition –
“ ‘Minister’ means the Minister for Treasury and Resources;”.
- (3) In Article 9(3) for the words “Social Security Committee” there shall be substituted the words “Minister for Social Security”.
- (4) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 3(1), (2) and (3);
 - (b) Article 4(1);
 - (c) Article 5 and its heading;
 - (d) Article 8(1) and (2);
 - (e) Article 16(1).

6 Drug Trafficking Offences (Jersey) Law 1988– consultation between Ministers and holding of funds

In Article 24 of the Drug Trafficking Offences (Jersey) Law 1988^[7] for paragraphs (5) and (6) there shall be substituted the following paragraphs –

- “(5) Before promoting or supporting any measure under paragraph (4)(a), the Minister shall consult with the Attorney General and with such other persons or bodies (including other Ministers) as he or she considers appropriate.
- (6) Monies paid into the Fund, while not applied for any of the purposes mentioned in paragraph (4), may be–
 - (a) held in the custody of the Treasurer of the States at the States Treasury; or
 - (b) placed, in the name of the Minister, in a current or deposit account with one or more banks selected by the Minister, and any interest earned on such monies while held in such an account shall be paid by the Minister into the Fund.”.

7 Drug Trafficking Offences (Jersey) Law 1988– further amendments

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Drug Trafficking Offences (Jersey) Law 1988^[8]

- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “items subject to legal professional privilege” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Economic Development;”.

- (3) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 24(1) and (4);
 - (b) Article 36(1);
 - (c) Schedule, paragraph 1(1)(b).

8 Stamp Duties and Fees Law (Jersey) Law 1998- amended

In Article 1 of the Stamp Duties and Fees Law (Jersey) Law 1998^[9] in the definition “stamp”, for the words “Finance and Economics Committee” and “that Committee” there shall be substituted the words “Minister for Treasury and Resources” and “that Minister” respectively.

9 Proceeds of Crime (Jersey) Law 1999– amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Proceeds of Crime (Jersey) Law 1999^[10]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “making a gift” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Treasury and Resources;”.

- (3) For Article 24(5), there shall be substituted the following paragraph–
 - “(5) Before promoting or supporting any measure under paragraph (4)(a), the Minister shall consult the Attorney General and other persons or bodies (including other Ministers) as the Minister considers appropriate.”.
- (4) For Article 24(6)(b) and all the words in paragraph (6) that follow, there shall be substituted the following sub-paragraph and words –
 - “(b) placed, in the name of the States, in a current or deposit account with one or more banks selected by the Minister,
and any interest earned on such monies while held in such an account shall be paid by the States into the Fund.”.
- (5) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 24(1) and (4);
 - (b) Article 37(1);
 - (c) Article 43(1).

10 Data Protection (Jersey) Law 2005– amendments relating to other Ministers

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Data Protection (Jersey) Law 2005.^[11]

- (2) In Schedule 5, in paragraph 4(1) for the words “Policy and Resources Committee” there shall be substituted the words “Chief Minister”.
- (3) In Schedule 5, in paragraph 4(4) for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”.

11 Data Protection (Jersey) Law 2005– other amendments

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Data Protection (Jersey) Law 2005^[12]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “information notice” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Treasury and Resources;”.
- (3) In Article 28(2), (5), (9) and (12) for the words “President of the Home Affairs Committee” there shall be substituted the words “Minister for Home Affairs”.
- (4) In the table to Article 56(7)–
 - (a) for the words “Home Affairs Committee” there shall be substituted the words “Minister for Home Affairs”;
 - (b) for the words “Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”;
 - (c) for the words “that Committee” (twice occurring) there shall be substituted the words “that Minister”.
- (5) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 6(5);
 - (b) Article 25(1), (2), (3) and (4);
 - (c) Article 26(2)(a);
 - (d) Article 31(2);
 - (e) Article 51(3);
 - (f) Article 52(2), (3), (4) and (5) and the heading to the Article;
 - (g) Article 63(2);
 - (h) Schedule 5, paragraph 2(2) and (5), 8(1) and (2), 9(3) and (7)(a) and 11;
 - (i) Schedule 12, paragraph 19(3).

12 Subordinate enactment amended

The enactment referred to in the Schedule shall be amended as set out in the Schedule.

13 Citation and commencement

These Regulations may be cited as the States of Jersey (Amendments and Construction Provisions No. 2, (Jersey) Regulations 2005 and shall come into force on the date on which Article 42(3) of the States of Jersey Law 2005^[13] comes into force.

SCHEDULE

(Regulation 13)

SUBORDINATE ENACTMENT AMENDED

Money Laundering (Jersey) Order 1999

In Article 10(4) of the Money Laundering (Jersey) Order 1999^[14] for the word “Committee” in each place where it appears there shall be substituted the word “Minister”.

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- [1] *Recueil des Lois, Volume 2005, page 370.*
- [2] *Recueil des Lois, Tome VIII, page 803 and Nos. 7846 and 9447.*
- [3] *Recueil des Lois, Volume 1961-1962, pages 197 and 443, Volume 1963-1965, pages 97, 143, 178, 189, 423 and 454, Volume 1966-1967, page 523, Volume 1968-1969, pages 38 and 219, Volume 1970-1972, pages 209, 305 and 382, Volume 1973-1974, page 275, Volume 1975-1978, pages 47, 148 and 257, Volume 1979-1981, pages 16, 157, 297 and 383, Volume 1982-1983, page 46, Volume 1984-1985, page 76, Volume 1986-1987, pages 192 and 208, Volume 1988-1989, pages 222 and 380, Volume 1990-1991, pages 96, 432 and 1088, Volume 1992-1993, pages 36 and 121, Volume 1994-1995, pages 220 and 366, Volume 1996-1997, pages 264, 643 and 652, Volume 1998, pages 3 and 259, Volume 1999, pages 209, 390, 403 and 418, Volume 2000, page 290, Volume 2001, pages 123 and 145, Volume 2003, page 239 and Volume 2004, page 795.*
- [4] *Recueil des Lois, Volume 1961-1962, pages 197 and 443, Volume 1963-1965, pages 97, 143, 178, 189, 423 and 454, Volume 1966-1967, page 523, Volume 1968-1969, pages 38 and 219, Volume 1970-1972, pages 209, 305 and 382, Volume 1973-1974, page 275, Volume 1975-1978, pages 47, 148 and 257, Volume 1979-1981, pages 16, 157, 297 and 383, Volume 1982-1983, page 46, Volume 1984-1985, page 76, Volume 1986-1987, pages 192 and 208, Volume 1988-1989, pages 222 and 380, Volume 1990-1991, pages 96, 432 and 1088, Volume 1992-1993, pages 36 and 121, Volume 1994-1995, pages 220 and 366, Volume 1996-1997, pages 264, 643 and 652, Volume 1998, pages 3 and 259, Volume 1999, pages 209, 390, 403 and 418, Volume 2000, page 290, Volume 2001, pages 123 and 145, Volume 2003, page 239 and Volume 2004, page 795.*
- [5] *Recueil des Lois, Volume 1963-1965, page 39, Volume 1970-1972, pages 311 and 408 and Volume 2002, page 81.*
- [6] *Recueil des Lois, Volume 1970-1972, pages 183 and 409, Volume 1979-1981, pages 283 and 371, Volume 1984-1985, page 185, Volume 1990-1991, page 135 and Volume 1996-1997, page 675.*
- [7] *Recueil des Lois, Volume 1988-1989, page 259, Volume 1990-1991, page 1091, Volume 1994-1995, page 55, Volume 1996-1997, page 429, Volume 1999, page 627 and Volume 2002, page 705.*
- [8] *Recueil des Lois, Volume 1988-1989, page 259, Volume 1990-1991, page 1091, Volume 1994-1995, page 55, Volume 1996-1997, page 429, Volume 1999, page 627 and Volume 2002, page 705.*
- [9] *Recueil des Lois, Volume 1998, page 104.*
- [10] *Recueil des Lois, Volume 1999, page 111 and Volume 2002, page 675.*
- [11] *Recueil des Lois, Volume 2005, page 17.*
- [12] *Recueil des Lois, Volume 2005, page 17.*
- [13] *Recueil des Lois, Volume 2005, page 367.*
- [14] *No. 9399.*