
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – CHIEF MINISTER TO ASSISTANT MINISTER – MARCH 2011

Presented to the States on 29th March 2011
by the Chief Minister

STATES GREFFE

REPORT

On 25th March 2011, the Chief Minister made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-C-2011-0036, 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 –

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 –

“28 Power of Minister to delegate functions

- (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

1. The Chief Minister agreed to delegate responsibility for the Draft Control of Housing and Work (Jersey) Law 201- and the Draft Register of Names and Addresses (Jersey) Law 201- to Senator P.F. Routier as Assistant Minister.
2. In order to enable the Assistant Minister to deal with all matters in relation to the Draft Control of Housing and Work (Jersey) Law 201- and the Draft Register of Names and Addresses (Jersey) Law 201- on the floor of the Assembly, the Chief Minister agreed to delegate the following functions under Standing Orders in respect of the aforementioned draft legislation –
 - (a) Standing Order 9(3) – answering questions;
 - (b) Standing Order 17(1)(a) – making statements;
 - (c) Standing Order 19(c) – lodging propositions;
 - (d) Standing Order 35(1)(b) – presenting reports or comments;
 - (e) Standing Order 68A(3) – proposing propositions.