

STATES OF JERSEY



DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 8)(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. 8)(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 Employment and Social Security Committee. The amendments are consequential upon the transfer of functions from that Committee to the Minister for Social Security. The transfer, and these amendments, will take effect when the first Council of Ministers is appointed to office.

Unless expressly referred to below, the amendments do no more than –

- (a) substitute a reference to the Employment and Social Security Committee with a reference to the Minister for Social Security; and
- (b) where an enactment for which Employment and Social Security Committee has responsibility includes a reference to another Committee, substitute a reference to that Committee with a reference to the Minister taking that Committee's responsibilities.

Regulation 3 substitutes Article 21 of the Health Insurance (Jersey) Law 1967, which provides for the management of the Health Insurance Fund and *Regulation 10* substitutes Articles 30 and 31 of the Social Security (Jersey) Law 1974, which provide for the management of the Social Security Fund and Social Security (Reserve) Fund. The amendments continue the existing arrangements for control and management of the funds by the Minister for Social Security. He or she may, but is not required to, pay money over to the Treasurer or to an investment manager. In either case, the Minister for Treasury and Resources may give directions as to its investment and may make provision by Order for the appointment of investment managers. The matters to which the Minister for Treasury and Resources must have regard in exercising his or her powers are set out. In addition, that Minister must consult with the Minister for Social Security before exercising those powers. Currently, if the Employment and Social Security Committee, when consulted by the Finance and Economics Committee, disagrees with its proposals, the matter is referred to the States for a decision. In the future, any disagreement between the Minister for Treasury and Resources and the Minister for Social Security would be referred to the Council of Ministers for resolution.

Regulation 20 provides for these Regulations to come into force on the same day as the Committees of the States are abolished. This, in turn, will be on the same day as the first Council of Ministers is appointed to office.



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- 6 [Employment Agencies \(Registration\) \(Jersey\) Order 1970](#)
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Jersey

STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 8)(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 Loi (1930) sur l’Emploi des Femmes, de Jeunes Personnes et d’Enfants – amended

In Article 2 of the Loi (1930) sur l’Emploi des Femmes, de Jeunes Personnes et d’Enfants^[2] –

- (a) in paragraph (a), for the words “du Comité de Législation” there shall be substituted the words “du ministre intitulé Minister for Social Security”;
- (b) in paragraph (b), for the words “du Comité d’Instruction Publique” there shall be substituted the words “du ministre intitulé Minister for Education, Sport and Culture”.

2 South Africa (Jersey) Law 1962– amended

In paragraph 2(2) of Schedule 2 to the South Africa (Jersey) Law 1962^[3] for the words “the Social Security Committee” there shall be substituted the words “the Minister for Social Security”.

3 Health Insurance (Jersey) Law 1967– Health Insurance Fund

- (1) In this Regulation and in Regulations 4 and 5, a reference to a provision is a reference to that provision in the Health Insurance (Jersey) Law 1967.^[4]
- (2) For Article 21 there shall be substituted the following Article-

“21 Health Insurance Fund

- (1) For the purposes of this Law, there shall be a fund called the “Health Insurance Fund” which shall be under the control and management of the Minister and into which shall be paid the Health Insurance Fund Allocations specified in Article 30 of the Social Security Law and such other sums as the States may determine, and out of which shall be paid all claims for money benefit and all sums payable in respect of pharmaceutical benefit provided under this Law, and all expenses incurred by the Minister in carrying this Law into effect.
- (2) Accounts of the Health Insurance Fund shall be prepared in such form, in such manner and at such times as the Minister may determine, and the Comptroller and Auditor

General shall examine and certify every such account, and copies thereof (together with the report of the Comptroller and Auditor General thereon) shall be laid before the States.

- (3) Any monies forming part of the Health Insurance Fund may from time to time be paid over to –
 - (a) the Treasurer of the States; or
 - (b) an investment manager,and may, by either of them, be invested in accordance with such directions as may be given by the Minister for Treasury and Resources.
- (4) The Minister for Treasury and Resources may, after consultation with the Minister, appoint one or more investment managers and may by Order make provisions in relation to the appointment of such managers.
- (5) An Order made under paragraph (4) shall include provisions–
 - (a) to ensure –
 - (i) the appointment of a suitable person or persons,
 - (ii) that regard is paid to the need for diversification of investment of the assets of the fund;
 - (b) relating to the –
 - (i) suitability of investments which the manager proposes to make,
 - (ii) retention of control by the Minister for Treasury and Resources over the investments and over the application of the assets of the fund, and
 - (iii) terms and conditions of appointment of investment managers including the further delegation by such an investment manager of the powers of management and investment given by such appointment.
- (6) The Minister for Treasury and Resources, in giving any directions as to the application and investment or reinvestment of the monies of the Health Insurance Fund pursuant to paragraph (3), shall have regard to the–
 - (a) need for diversification of investment of fund monies;
 - (b) suitability of investments of any description which are proposed to be made; and
 - (c) obtaining, at reasonable intervals, of proper advice.
- (7) In this Article –
 - (a) “investment manager” means a person or persons reasonably believed by the Minister to be suitably qualified by ability in and practical experience of financial matters to make investment decisions on his or her behalf;
 - (b) the reference in paragraph (6)(c) to “proper advice” is a reference to the advice of a person or persons reasonably believed by the Minister for Treasury and Resources to be qualified by his or her ability in and practical experience of financial matters to give such advice.
- (8) Regulations made under the Public Finances (Jersey) Law 2005, if and to the extent that they apply to any monies paid over under paragraph (3), are subject to this Article”.

4 Health Insurance (Jersey) Law 1967– Power to modify or wind up schemes

For Article 33 there shall be substituted the following Article–

“33 Power to modify or wind up existing schemes

Provision for modifying or winding up, in connection with the enactment of this Law, any

scheme for the provision of medical, dental or ophthalmic services or the supply of pharmaceutical requirements (including any scheme established by or under any enactment and any scheme evidenced only by one or more policies of insurance) may be made by order of such Minister as may be determined by the Minister for Treasury and Resources to be appropriate in relation to the scheme to which the order is to apply or, if the Minister for Treasury and Resources determines that there is no such appropriate Minister, by order of the Minister for Treasury and Resources personally.”.

5 Health Insurance (Jersey) Law 1967– further amendments

- (1) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “medical services” there shall be inserted the following definition –

“‘Minister’ means the Minister for Social Security;”.

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

“2 General administration

The Minister shall ensure that a sufficient number of officers are appointed to assist the Minister in the discharge of his or her functions under this Law and generally for the purpose of carrying this Law into effect.”

- (3) For Article 15(12) there shall be substituted the following paragraph–

“(12) Before exercising his or her powers under paragraph (11) the Minister shall consult with the Pharmaceutical Benefit Advisory Committee.”.
- (4) In Article 15(14) for the words “its powers” there shall be substituted the words “the Minister’s powers”.
- (5) In Article 27(2) for the words “if it is of the opinion” there shall be substituted the words “if the Minister is of the opinion”.
- (6) In Article 29(1) for the words “as it may determine” there shall be substituted the words “as the Minister may determine”.
- (7) In Article 30(1) for the words “Any officer of the Committee” there shall be substituted the words “Any officer in an administration of the States for which the Minister is assigned responsibility”.
- (8) In Schedule 1 –
 - (a) for paragraph 3 there shall be substituted the following paragraph –

“3 The Minister shall appoint a secretary of the Advisory Committee and there shall be paid to the secretary such remuneration and allowances as the Minister thinks fit.”;
 - (b) in paragraph 11 for the words “in its opinion” there shall be substituted the words “in the Minister’s opinion”.
- (9) In Schedule 2 in paragraph 4 –
 - (a) in sub-paragraph (2) for the words “as it may recognize” there shall be substituted the words “as the Minister may recognize”;
 - (b) in sub-paragraph (3) for the words “as it considers necessary” there shall be substituted the words “as the Minister considers necessary”.
- (10) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1(1), in the definition “Order”;
 - (b) Article 15(1), (6), (9), (11), (13) and (14);

- (c) Article 17(1);
- (d) Article 22(1);
- (e) Article 24(2) and (6);
- (f) Article 26(1), (2), (3) and (4);
- (g) Article 27(1) to (5);
- (h) Article 28(1);
- (i) Article 29(1) (in the first place where it appears only) and 29(2);
- (j) Article 31(3);
- (k) Article 32(1), (2), (3), (6) and (7);
- (l) Article 36(1) and (3);
- (m) Schedule 1, paragraphs 2(a), (d) and (e), 4(2)(a) and 11;
- (n) Schedule 2, paragraphs 2, 3, 4, 5 and 6.

6 Employment Agencies (Registration) (Jersey) Law 1969– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Employment Agencies (Registration) (Jersey) Law 1969.^[5]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “employment agency” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.
- (3) In Article 4(2) for the words “as it thinks fit” there shall be substituted the words “as he or she thinks fit”.
- (4) In Article 6 for the words “it shall issue” there shall be substituted the words “the Minister shall issue”.
- (5) In Article 7(1)(b) for the words “officer of the Committee” there shall be substituted the words “officer in an administration of the States for which the Minister is assigned responsibility who is”.
- (6) In Article 8–
 - (a) in paragraph (1)–
 - (i) for the words “unless it has given to the applicant” there shall be substituted the words “unless the Minister has given to the applicant”,
 - (ii) for the words “of its intention so to do and of its reasons for so doing” there shall be substituted the words “of his or her intention to do so and of his or her reasons for so doing”;
 - (b) in paragraph (2) for the words “it shall” there shall be substituted the words “the Minister shall”.
- (7) In Article 10(1) for the words “officer of the Committee” there shall be substituted the words “officer in an administration of the States for which the Minister is assigned responsibility”.
- (8) 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);
 - (b) Article 4(1) and (2);
 - (c) Article 6;
 - (d) Article 7(1)(b) and (c);

- (e) Article 8(1), (2) and (3);
- (f) Article 11;
- (g) Article 12(1).

7 Family Allowances (Jersey) Law 1972– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Family Allowances (Jersey) Law 1972.^[6]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “issue” there shall be inserted the following definition –
“ ‘Minister’ means the Minister for Social Security;”.
- (3) In Article 14(1) and (3) for the words “to its satisfaction” there shall be substituted the words “to the Minister’s satisfaction”.
- (4) In Article 17(2) and (3) for the words “the Health and Social Services Committee” there shall be substituted the words “the Minister for Health and Social Services”.
- (5) In Article 18–
 - (a) in paragraph (1) for the words “in its discretion” there shall be substituted the words “in the Minister’s discretion”;
 - (b) in paragraph (2) for the words “it may pay” there shall be substituted the words “the Minister may pay”.
- (6) In Schedule 2, in paragraph 1(1)(b) for the words “the Committee in its discretion” there shall be substituted the words “the Minister in his or her discretion”.
- (7) In Schedule 2, in paragraph 2(2) for the words “the Committee may in its discretion” there shall be substituted the words “the Minister may in his or her discretion”.
- (8) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1, in the definition “Order”;
 - (b) Article 6(1);
 - (c) Article 8;
 - (d) Article 9(3);
 - (e) Article 10;
 - (f) Article 11(1);
 - (g) Article 14(1), (3), (4), (5) and (6);
 - (h) Article 18(1) and (2);
 - (i) Article 19(2);
 - (j) Article 21(1);
 - (k) Schedule 1, paragraphs 3 and 4.

8 Attendance Allowances (Jersey) Law 1973– amended

- (1) In this Regulation a reference to a provision is a reference to that provision in the Attendance Allowances (Jersey) Law 1973.^[7]
- (2) In Article 1–

- (a) the definition “Committee” shall be deleted;
- (b) after the definition “medical practitioner” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.

- (3) In Article 7(3) for the words “as it thinks necessary” there shall be substituted the words “as the Minister thinks necessary”.
- (4) In Article 9(1) and (2) for the words “to its satisfaction” there shall be substituted the words “to the Minister’s satisfaction”.
- (5) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1, in the definition “Order”;
 - (b) Article 2(1);
 - (c) Article 6(1)(b);
 - (d) Article 7(1) and (3);
 - (e) Article 9(1) to (5);
 - (f) Article 11(1);
 - (g) Article 14(1);
 - (h) Schedule, paragraphs 1, 3, 4, 5 and 6.

9 Employers' Liability (Compulsory Insurance) (Jersey) Law 1973– amended

In the Employers’ Liability (Compulsory Insurance) (Jersey) Law 1973^[8] –

- (a) in Article 1(1)–
 - (i) the definition “Committee” shall be deleted,
 - (ii) after the definition “employee” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security.”;

- (b) in Article 4(2)(b) for the word “Committee” there shall be substituted the word “Minister”.

10 Social Security (Jersey) Law 1974– Social Security Fund and Social Security (Reserve Fund)

- (1) In this Regulation and Regulation 11, a reference to a provision is a reference to that provision in the Social Security (Jersey) Law 1974.^[9]
- (2) For Articles 30 and 31 there shall be substituted the following Articles –

“30 Social Security Fund

- (1) The Insular Insurance Fund established in pursuance of the Law of 1950 shall be renamed the Social Security Fund and shall be maintained under the control and management of the Minister.
- (2) There shall be paid into the Social Security Fund all contributions payable under this Law after deduction therefrom of the appropriate Health Insurance Fund Allocation, together with monies provided by the States and the proceeds of all charges imposed under this Law, and there shall be paid out of the Fund all claims for benefit, and all expenses, including salaries, equipment and the provision of accommodation, incurred by the Minister in carrying this Law into effect.
- (3) The appropriate Health Insurance Fund Allocation which shall be paid into the Health

Insurance Fund, shall be –

- (a) in the case of primary Class 1 contributions, 0.8% of the amount of earnings in respect of which those contributions were paid;
 - (b) in the case of secondary Class 1 contributions, 1.2% of the amount of earnings in respect of which those contributions were paid;
 - (c) in the case of Class 2 contributions, 2% of either of the amount of the current earnings limit, or the amount of earnings determined to be that in respect of which those contributions were paid, whichever is deemed to be appropriate having regard to the provisions of Article 8.
- (4) Accounts of the Social Security Fund shall be prepared in such form, manner and at such times as the Minister may determine, and the Comptroller and Auditor General shall examine and certify every such account, and copies thereof together with the report of the Comptroller and Auditor General thereon shall be laid as soon as may be before the States.
- (5) Any monies forming part of the Social Security Fund may, from time to time, be paid over to –
- (a) the Treasurer of the States; or
 - (b) an investment manager,
- and may, by either of them, be invested in accordance with such directions as may be given by the Minister for Treasury and Resources.
- (5A) The Minister for Treasury and Resources may, after consultation with the Minister, appoint one or more investment managers to whom money may be paid over pursuant to paragraph (5) and may by Order make provision in relation to the appointment of such managers.
- (5B) An Order made under paragraph (5A) shall include provisions–
- (a) to ensure –
 - (i) the appointment of a suitable person or persons, and
 - (ii) that regard is paid to the need for diversification of investment of the assets of the fund;
 - (b) relating to the –
 - (i) suitability of investments which the manager proposes to make,
 - (ii) retention of control by the Minister for Treasury and Resources over the investments and over the application of the assets of the fund, and
 - (iii) terms and conditions of appointment of investment managers including the further delegation by such an investment manager of the powers of management and investment given by such appointment.
- (5C) The [Minister for Treasury and Resources], in giving any directions as to the application and investment or reinvestment of the monies of the Social Security Fund paid over pursuant to paragraph (5), shall have regard to the–
- (a) need for diversification of investment of fund monies;
 - (b) suitability of investments of any description which are proposed to be made; and
 - (c) obtaining, at reasonable intervals, of proper advice.
- (5D) In this Article –
- (a) “investment manager” means a person or persons reasonably believed by the Minister to be suitably qualified by ability in and practical experience of financial matters to make investment decisions on his or her behalf;
 - (b) the reference in paragraph (5C)(c) to “proper advice” is a reference to the advice

of a person or persons reasonably believed by the Minister for Treasury and Resources to be qualified by the person's ability in and practical experience of financial matters to give such advice.

- (6) The Minister for Treasury and Resources may borrow money under the guarantee of the annual income of the States in order to obtain currency, other than sterling, required for any purpose connected with the investment of the Social Security Fund.
- (7) The Minister for Treasury and Resources shall, on matters relating to investment, provide full information to, and regularly consult with, the Minister and, where such consultation does not end in agreement, the disagreement shall be referred to the Council of Ministers for resolution.
- (8) There shall be presented to the States annually by the Minister an account of the securities in which monies forming part of the Social Security Fund are for the time being invested.
- (9) Regulations made under the Public Finances (Jersey) Law 2005, if and to the extent that they apply to any monies paid over under paragraph (5), are subject to this Article.

31 Social Security (Reserve) Fund

- (1) The Insular Insurance (Reserve) Fund established in pursuance of the Law of 1950 shall be renamed the Social Security (Reserve) Fund and shall be under the control and management of the Minister, and such assets as the Minister may determine may be transferred from the Social Security Fund into the Social Security (Reserve) Fund which shall be maintained as a reserve for the Social Security Fund.
- (2) Article 30(4), (5), (5A), (5B), (5C), (5D), (6), (7),(8) and (9) shall apply to the Social Security (Reserve) Fund as they apply to the Social Security Fund.
- (3) Any sums determined by the Minister to be income of the Social Security (Reserve) Fund shall be paid into the Social Security Fund.
- (4) Subject to the foregoing provisions of this Article and any other provision of this Law expressly directing payments to be made out of the Social Security (Reserve) Fund, a payment out of that Fund shall not be made otherwise than under the authority of a resolution of the States and shall be made subject to such conditions as to repayment or otherwise as may be specified in the resolution.”.

11 Social Security (Jersey) Law 1974– further amendments

- (1) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “medical practitioner” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.
- (2) Article 2 shall be repealed.
- (3) In Article 28(2), for the words “Committee, in its discretion,” there shall be substituted the words “Minister, in his or her discretion,”.
- (4) In Article 32, for paragraphs (1) and (2) there shall be substituted the following paragraphs–
 - “(1) As from the end of the period of 3 years from the appointed day, or such shorter period as the then Social Security Committee directed, and, after that, as from the end of each period of 3 years, or such shorter period as the Minister may direct, an actuary shall review the operation of this Law.
 - (2) The actuary shall be appointed by the Minister.”.

- (5) In Article 34C(1), for the words “it may” there shall be substituted the words “the Minister may”.
- (6) In Article 35(1), for the words “Any officer of the Committee generally or specially authorized in writing in that behalf” there shall be substituted the words “Any officer in an administration of the States for which the Minister is assigned responsibility who is generally or specially authorized in writing by the Minister in that behalf”.
- (7) In Article 42(1), for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (8) In Articles 44 and 46(1), for the words “as it thinks proper” there shall be substituted the words “as the Minister thinks proper”.
- (9) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1(1), in the definition “Order”;
 - (b) Article 3(3);
 - (c) Article 4(3);
 - (d) Article 5(2);
 - (e) Article 6;
 - (f) Article 9(2), in the proviso;
 - (g) Article 10(2);
 - (h) Article 11(ha);
 - (i) Article 18(2) and (4) ;
 - (j) Article 32(3);
 - (k) Article 33(1);
 - (l) Article 34;
 - (m) Article 34A(2) and (3);
 - (n) Article 34C, in the heading and paragraph (1);
 - (o) Article 34E(2)(b);
 - (p) Article 36(1) and (1A);
 - (q) Article 39(2) and (6);
 - (r) Article 42(1), (2) and (3);
 - (s) Article 43(1);
 - (t) Article 44;
 - (u) Article 46(1);
 - (v) Article 49(2);
 - (w) Article 51(2);
 - (x) Schedule 4, paragraphs 1, 2 and 3.

12 Invalid Care and Disability Allowances (Jersey) Law 1978– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Invalid Care and Disability Allowances (Jersey) Law 1978:^[10]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “medical practitioner” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.

- (3) In Article 8(2) for the words “as it thinks necessary” there shall be substituted the words “as he or she thinks necessary”.
- (4) In Article 10(1) and (2) for the words “its satisfaction” there shall be substituted the words “his or her satisfaction”.
- (5) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1, in the definition “Order”;
 - (b) Article 2(10);
 - (c) Article 3(9);
 - (d) Article 4(2);
 - (e) Article 8(1) and (2);
 - (f) Article 10(1) to (5);
 - (g) Article 12(1);
 - (h) Article 15(1);
 - (i) Article 16(2).

13 Health and Safety at Work (Jersey) Law 1989– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Health and Safety at Work (Jersey) Law 1989.^[11]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “micro-organism” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.
- (3) In Article 10–
 - (a) in paragraph (1)–
 - (i) for the words “as it considers will be affected” there shall be substituted the words “as he or she considers will be affected”,
 - (ii) in sub-paragraphs (i) and (ii) for the words “as in its opinion” there shall be substituted the words “as in his or her opinion”;
 - (b) in paragraph (3)(a) for the words “prepared by it” there shall be substituted the words “prepared by the Minister”;
 - (c) in paragraph (4)–
 - (i) for the words “its approval” in each place where they appear there shall be substituted the words “his or her approval”,
 - (ii) for the words “it shall publish” there shall be substituted the words “the Minister shall publish”.
- (4) In Article 18–
 - (a) in the heading for the word “Committee” there shall be substituted the word “Minister”;
 - (b) in paragraph (1) for the words “which it considers necessary or expedient” there shall be substituted the words “which the Minister considers necessary or expedient”;
 - (c) in paragraph (2)(a) for the words “to investigate and make to it a special report” there shall be substituted the words “to investigate and make to the Minister a special report”;
 - (d) in paragraph (5) for the words “as it thinks fit”, in each place where they appear, there shall be

substituted the words “as the Minister thinks fit”.

- (5) In Article 19–
 - (a) for the words “for its purposes” there shall be substituted “for his or her purposes”;
 - (b) for the words “it may serve” there shall be substituted the words “the Minister may serve”.
- (6) In Article 20–
 - (a) in paragraph (9) for the words “unless it is satisfied” there shall be substituted the words “unless the Minister is satisfied”;
 - (b) in paragraph (10) for the words “its consent” there shall be substituted the words “his or her consent”.
- (7) In Article 27(2) for the words “they wish to appear” there shall be substituted the words “he or she wishes to appear”.
- (8) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 9(2)(d), (e) and (g);
 - (b) the heading to Article 10;
 - (c) Article 10(1), (2), (3), (4) and (6);
 - (d) Article 11(5);
 - (e) Article 12(1) and (2)(b)(i);
 - (f) Article 18(1), (2) and (5);
 - (g) the heading to Article 19;
 - (h) Article 19;
 - (i) Article 20(1)(a), (3)(a), (4)(a), (8), (9) and (10);
 - (j) Article 21(3)(c)(i);
 - (k) Article 24(1)(b), (4) and (5);
 - (l) Article 27(1) and (2).

14 Christmas Bonus (Jersey) Law 1991– amended

In the Christmas Bonus (Jersey) Law 1991^[12] –

- (a) in Article 1–
 - (i) the definition “Committee” shall be deleted,
 - (ii) after the definition “Jersey Index of Earnings” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”;
- (b) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 2(2) and (5),
 - (ii) Article 6(1), (2) and (3).

15 Disability Transport Allowance (Jersey) Law 1997– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Disability Transport Allowance (Jersey) Law 1997.^[13]
- (2) In Article 1–

- (a) the definition “Committee” shall be deleted;
- (b) after the definition “medical practitioner” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Social Security;”.

- (3) In Article 5(2) for the words “as it thinks necessary” there shall be substituted the words “as the Minister thinks necessary”.
- (4) In Article 7(1) and (2) for the words “to its satisfaction” there shall be substituted the words “to the Minister’s satisfaction”.
- (5) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1, in the definition “Order”;
 - (b) Article 2(2);
 - (c) Article 5(1) and (2);
 - (d) Article 7(1), (2), (3), (4) and (5);
 - (e) Article 9;
 - (f) Article 13(1);
 - (g) Article 14(2).

16 Jersey Advisory and Conciliation (Jersey) Law 2003– functions of Minister for Treasury and Resources

- (1) In this Regulation and Regulation 17, a reference to a provision is a reference to that provision in the Jersey Advisory and Conciliation (Jersey) Law 2003.^[14]
- (2) In paragraph 12(2) of the Schedule for the words “as it may determine” there shall be substituted the words “as he or she may determine”.
- (3) For paragraph 15(2)(b) of the Schedule there shall be substituted the following sub-paragraph –
 - “(b) the Minister or the Minister for Treasury and Resources or any person who is, or is acting as, an officer, employee or agent of an administration of the States for which either of those Ministers is assigned responsibility or performing any function on behalf of either of those Ministers; and”.
- (4) In the following provisions of the Schedule, for the words “Finance and Economics Committee”, in each place where they appear there shall be substituted the words “Minister for Treasury and Resources” –
 - (a) paragraph 8(3) and (4);
 - (b) paragraph 12(2) and (3);
 - (c) paragraph 15(2).

17 Jersey Advisory and Conciliation (Jersey) Law 2003– amended

- (1) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “member” there shall be inserted the following definition –
 - “ ‘Minister’ means the Minister for Social Security.”.
- (2) In Article 9–
 - (a) in paragraph (1)–
 - (i) for the words “as it considers” there shall be substituted the words “as the Minister

- considers”,
- (ii) for the words “in its opinion” there shall be substituted the words “in the Minister’s opinion”;
- (b) in paragraphs (2) and (5)–
- (i) for the words “it shall, after consultation” there shall be substituted the words “the Minister shall, after consultation”,
- (ii) for the words “as it has reason to believe” there shall be substituted the words “as the Minister has reason to believe”,
- (iii) for the words “made to it” there shall be substituted the words “made to the Minister”;
- (c) in paragraph (4) for the words “prepared by it” there shall be substituted the words “prepared by the Minister”.
- (3) In Article 11(1)–
- (a) for the words “issued by it” there shall be substituted the words “issued by the Minister”;
- (b) for the words “it shall” there shall be substituted the words “the Minister shall”.
- (4) In the Schedule, in paragraph 10(7) for the words “it receives” there shall be substituted the words “he or she receives”.
- (5) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
- (a) Article 1 in the definition “financial year”;
- (b) the heading to Article 9;
- (c) Articles 9 and 11;
- (d) Article 12(1) and (2)(b);
- (e) Schedule, paragraphs 2, 3(2), 8(3), (5) and (6), 10(1), (2), (3), (6) and (7), 11(a), 12(1) and (3), 13 and 15(2).

18 Employment (Jersey) Law 2003– amended

- (1) In this Regulation, a reference to a provision is a reference to that provision in the Employment (Jersey) Law 2003.^[15]
- (2) In Article 1(1)–
- (a) the definition “Committee” shall be deleted;
- (b) after the definition “minimum wage” there shall be inserted the following definition –
- “ ‘Minister’ means the Minister for Social Security;”.
- (3) In Article 12(2) for the words “it shall consult” there shall be substituted the words “the Minister shall consult”.
- (4) In Article 85–
- (a) in paragraph (1) for the words “as it shall determine” there shall be substituted the words “as the Minister shall determine”;
- (b) in paragraph (3) for the words “as it considers” there shall be substituted the words “as he or she considers”.
- (5) In Article 91(3) for the words “as appears to it” there shall be substituted the words “as appears to the Minister”.
- (6) For Article 96(1)(b) there shall be substituted the following sub-paragraph –
- “(b) may, instead of or in addition to appointing any officer under sub-paragraph (a), arrange with any other Minister or with any body performing functions on behalf

of the States, that officers in an administration of the States for which that Minister is assigned responsibility, or officers of that body, shall act for those purposes.”.

- (7) In Article 98–
 - (a) in paragraph (1) for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”;
 - (b) in paragraph (2) the words “Employment and Social Security Committee” shall be deleted.
- (8) In Article 99(8) the words “or administration of the States” shall be deleted.
- (9) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 1(1), in the definition “prescribed”;
 - (b) Article 9(2);
 - (c) Article 12(1) and (2);
 - (d) Article 18(1), (3), (4) and (5);
 - (e) Article 19(1), (2), (3) and (4);
 - (f) Article 20(2), (3), (5), (6) and (7);
 - (g) Article 21(2), (3), (4), (5), (6), (7)(a), (8)(c), (9), (11), (12) and (13);
 - (h) Article 22;
 - (i) Article 29(1) and (8);
 - (j) Article 77(2);
 - (k) Article 79(4)(d);
 - (l) Article 85(1), (2) and (3);
 - (m) Article 91(3);
 - (n) Article 96(1);
 - (o) Article 99(2), (3)(a), (4)(a), (5)(b) and (8);
 - (p) Article 100(1);
 - (q) Article 104(1) and (2);
 - (r) Schedule 2, paragraphs 1, 2 and 3.

19 Subordinate enactments amended

- (1) Part 1 of the Schedule shall have effect to amend subordinate enactments.
- (2) Part 2 of the Schedule shall have effect to amend triennial regulations.

20 Citation and commencement

These Regulations may be cited as the States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005 and shall come into force on the same day as Article 42(3) of the States of Jersey Law 2005.

SCHEDULE

(Regulation 19)

PART 1

(Regulation 19(1))

SUBORDINATE LEGISLATION AMENDED

1 Safeguarding of Workers (Machinery and Woodworking Machines) (Jersey) Regulations 1967

In Regulation 5(5) of the Safeguarding of Workers (Machinery and Woodworking Machines) (Jersey) Regulations 1967^[16] –

- (a) for the word “Committee” there shall be substituted the word “Minister”;
- (b) for the words “it may direct” there shall be substituted the words “the Minister may direct”.

2 Health Insurance (Evidence) (Jersey) Order 1967

In the following provisions of the Health Insurance (Evidence) (Jersey) Order 1967^[17] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 1(1), in the definition “Social Security Office”;
- (b) Article 2(1), (2) and (4);
- (c) the heading to Article 4;
- (d) Articles 4 and 5.

3 Health Insurance (Health Services Disciplinary Tribunal) (Procedure) (Jersey) Order 1967^[18]

In the Health Insurance (Health Services Disciplinary Tribunal) (Procedure) (Jersey) Order 1967–

- (a) in Article 6(1) and (5) for the words “authorized by the Committee to represent it” there shall be substituted the words “authorized by the Minister to represent the Minister”;
- (b) in Articles 1, 2, 3(1) and (2), 4, 5 and 7(2) for the word “Committee” there shall be substituted the word “Minister”.

4 Health Insurance (Determination of Claims and Questions) (Jersey) Order 1967

In the Health Insurance (Determination of Claims and Questions) (Jersey) Order 1967^[19] –

- (a) in Article 5 for the words “the officers of the Committee” there shall be substituted the words “the officers in any administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 12(7) for the words “authorized by the Committee to represent it” there shall be substituted the words “authorized by the Minister to represent the Minister”;
- (c) in Article 16(1) and (2) for the words “its notice” there shall be substituted the words “the Minister’s notice”;
- (d) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (i) Article 3(2)(a) and (3),
- (ii) the proviso to Article 4,
- (iii) Article 5,
- (iv) Article 6(3),
- (v) Article 7,
- (vi) Article 13(2),
- (vii) the heading to Article 16,
- (viii) Article 16.

5 Health Insurance (Medical Benefit) (General Provisions) (Jersey) Order 1967

In the Health Insurance (Medical Benefit) (General Provisions) (Jersey) Order 1967^[20] –

- (a) in Article 10 for the words “Committee may, in its discretion,” there shall be substituted the words “Minister may, in his or her discretion,”;
- (b) in Article 17(1)–
 - (i) for the words “the Committee may, on written application being made to it,” there shall be substituted the words “the Minister may, on written application being made to the Minister,”,
 - (ii) in sub-paragraph (c) of the proviso for the words “the Committee may at any time in its absolute discretion” there shall be substituted the words “the Minister may at any time in his or her absolute discretion”;
- (c) in Article 18(1) for the words “the Committee may appoint such person as it may think fit” there shall be substituted the words “the Minister may appoint such person as he or she thinks fit”;
- (d) in Schedule 1 for the words “Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”;
- (e) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 2(2),
 - (ii) proviso to Article 5(2),
 - (iii) Article 6(2) and (5),
 - (iv) proviso to Article 7(2),
 - (v) proviso to Article 8(1),
 - (vi) Articles 9, 10 and 11,
 - (vii) Article 12(1), (2) and (3),
 - (viii) proviso to Article 13(1),
 - (ix) the heading to Article 15,
 - (x) Articles 15 and 16,
 - (xi) proviso to Article 17(1),
 - (xii) Article 18(2), (3) and (4).

6 Employment Agencies (Registration) (Jersey) Order 1970

In the Schedule to the Employment Agencies (Registration) (Jersey) Order 1970^[21] –

- (a) in the form of Application by a person, not being a body corporate, for registration as a person carrying on an employment agency, in paragraph 9, for the words “Employment and Social Security

Committee” there shall be substituted the words “Minister for Social Security”;

- (b) in the form of Application by a body corporate for registration as a person carrying on an employment agency, in paragraphs 3 and 11, for the words “Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”.

7 Employment Agencies (Registration) (Code of Conduct) (Jersey) Order 1970

In the Employment Agencies (Registration) (Code of Conduct) (Jersey) Order 1970^[22] –

- (a) in the following provisions the words “of the Committee” shall be deleted –
 - (i) Article 6(1), (3), (4), (7) and (8),
 - (ii) Article 7(2),
 - (iii) Article 8(2),
 - (iv) Article 9(2),
 - (v) Article 10(2),
 - (vi) Article 12(2);
- (b) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 2(2),
 - (ii) Article 6(6),
 - (iii) Articles 15 and 16.

8 Construction (Safety Provisions) (Jersey) Regulations 1970

In the Construction (Safety Provisions) (Jersey) Regulations 1970^[23] –

- (a) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 7(3),
 - (ii) Regulation 16(2),
 - (iii) Regulation 50(1)(a) and (2),
 - (iv) Regulation 54(4),
 - (v) Regulation 69(2),
 - (vi) Regulation 87,
 - (vii) Schedule 2, Parts 1 and 2;
- (b) in Regulation 87 –
 - (i) for the words “at its discretion” there shall be substituted the words “at the Minister’s discretion”,
 - (ii) for the words “if it is satisfied” there shall be substituted the words “if the Minister is satisfied”.

9 Explosives (Safety Provisions) (Jersey) Regulations 1972

In the Explosives (Safety Provisions) (Jersey) Regulations 1972^[24] –

- (a) in Regulation 1, in the definition “magazine” for the words “Home Affairs Committee” there shall be substituted the words “Minister for Home Affairs”;

- (b) in Regulations 29(7)(b)(i) and 64(6)(b)(i) for the word “Committee’s” there shall be substituted the word “Minister’s”;
- (c) in Regulation 65 for the words “which it may at its discretion” there shall be substituted the words “which the Minister may at his or her discretion”;
- (d) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 10(3),
 - (ii) Regulation 29(2), (6) and (7),
 - (iii) Regulation 39(3),
 - (iv) Regulation 64(5) and (6),
 - (v) Regulation 65.

10 Family Allowances (Appeals and References) (Jersey) Order 1973

In the Social Security (Claims and Payments) (Jersey) Order 1974^[25] –

- (a) in Article 1 the definition “Committee” shall be deleted;
- (b) in Article 2 for the words “officers of the Committee” there shall be substituted the words “officers in any administration of the States for which the Minister is assigned responsibility”;
- (c) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 1, in the definition “determining officer”,
 - (ii) Articles 2 and 3.

11 Family Allowances (General Provisions) (Jersey) Order 1973

In the Family Allowances (General Provisions) (Jersey) Order 1973^[26] –

- (a) in Article 7(2) and the proviso to Article 18 for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (b) in Article 18 and Article 19(1) for the words “it may” there shall be substituted the words “the Minister may”;
- (c) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 7(1) and (2),
 - (ii) Articles 8, 9, 10, 14, 15, 16, 17, 18, 19 and 23.

12 Family Allowances (Re-assessments) (Jersey) Order 1973

In the Family Allowances (Re-assessments) (Jersey) Order 1973^[27] –

- (a) in Article 3(2) for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (b) in Article 3(1) and (2) for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

13 Attendance Allowances (General Provisions) (Jersey) Order 1973

In the Attendance Allowances (General Provisions) (Jersey) Order 1973^[28] –

- (a) in Article 8(3) for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (b) in Article 15 for the words “as it may require” there shall be substituted the words “as he or she may require”;
- (c) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Articles 8, 9 and 10,
 - (ii) Article 13(b),
 - (iii) Article 15,
 - (iv) Article 16(1),
 - (v) Article 18(2)(c),
 - (vi) Article 19(1) and (2).

14 Health Insurance (Medical Benefit) (Assignment) (Jersey) Regulations 1973

In Regulation 1 of the Health Insurance (Medical Benefit) (Assignment) (Jersey) Regulations 1973^[29] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

15 Employers’ Liability (Compulsory Insurance) (General) (Jersey) Regulations 1973

In the Employers’ Liability (Compulsory Insurance) (General) (Jersey) Regulations 1973^[30] –

- (a) in Regulation 6 for the words “officer of the Committee” there shall be substituted the words “officer in an administration of the States for which the Minister is assigned responsibility who is”;
- (b) in Regulations 6 and 7 for the word “Committee” there shall be substituted the word “Minister”.

16 Social Security (Claims and Payments) (Jersey) Order 1974

In the Social Security (Claims and Payments) (Jersey) Order 1974^[31] –

- (a) in Article 8(1) for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (b) in Article 11(9) for the words “as it may direct” there shall be substituted the words “as the Minister may direct”;
- (c) in the proviso to Article 12(5) for the words “the Committee so direct” there shall be substituted the words “the Minister so directs”;
- (d) in Article 16–
 - (i) in paragraph (1), for the words “upon written application being made to it” there shall be substituted the words “upon written application being made to the Minister”,
 - (ii) in sub-paragraph (c) of the proviso to paragraph (1) for the words “in its absolute discretion” there shall be substituted the words “in his or her absolute discretion”;
- (e) in Article 17(1) for the words “as it may think fit” there shall be substituted the words “as he or she may think fit”;
- (f) in Schedule 2, Part 2, paragraph 4(2) for the words “to the Committee in a form approved by it” there shall be substituted the words “to the Minister in a form approved by the Minister”;

- (g) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
- (i) Article 2,
 - (ii) the heading to Article 4,
 - (iii) Articles 4, 5 and 6,
 - (iv) Article 7(1), (2) and (4),
 - (v) Article 8(1) and (2),
 - (vi) Article 11(1), (4), (5), (8), (9) and(10),
 - (vii) Article 12(4),
 - (viii) Article 14(1)(c) and (2)(a),
 - (ix) Article 15(1) and (2),
 - (x) Article 16(1) and (2),
 - (xi) Article 17(1), (2), (6) and (7),
 - (xii) Article 18,
 - (xiii) Schedule 2, Part 1, item 3, second column,
 - (xiv) Schedule 2, Part 2, paragraph 2.

17 Social Security (Married Women) (Jersey) Order 1974

In the following provisions of the Social Security (Married Women) (Jersey) Order 1974,^[32] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 3(3)(a) and (b);
- (b) Article 5(3) and (4);
- (c) Article 7(1) and (2).

18 Social Security (Residence and Persons Abroad) (Jersey) Order 1974

In the following provisions of the Social Security (Residence and Persons Abroad) (Jersey) Order 1974,^[33] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 2, in paragraph (a)(ii) of the proviso;
- (b) Article 6(1) and (2);
- (c) Article 8.

19 Social Security (Death Grant) (Jersey) Order 1974

In the Social Security (Death Grant) (Jersey) Order^[34] –

- (a) in Article 8(3), for the words “in its discretion” there shall be substituted the words “in the Minister’s discretion”;
- (b) in Articles 6 and 7 and Article 8(2) and (3) for the word “Committee” there shall be substituted the word “Minister”.

20 Social Security (Determination of Claims and Questions) (Jersey) Order 1974

In the Social Security (Determination of Claims and Questions) (Jersey) Order 1974^[35] –

- (a) in Article 4 for the words “officers of the Committee” there shall be substituted the words “officers in any administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 11(7) for the words “to represent it” there shall be substituted the words “to represent the Minister”;
- (c) in Article 16 for the words “its notice” there shall be substituted the words “the Minister’s notice”;
- (d) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 3, paragraph (a) of the proviso,
 - (ii) Article 4,
 - (iii) Article 5(3),
 - (iv) Article 6,
 - (v) Article 11(7),
 - (vi) Article 12(3),
 - (vii) Article 16,
 - (viii) Article 20(1), in the definition “determining officer”.

21 Social Security (Medical Certification) (Jersey) Order 1974

In Article 1(2) of the Social Security (Medical Certification) (Jersey) Order 1974^[36] for the word “Committee” there shall be substituted the word “Minister”.

22 Social Security (Determination of Disablement Questions) (Jersey) Order 1974

In the following provisions of the Social Security (Determination of Disablement Questions) (Jersey) Order 1974^[37] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 5(6);
- (b) the heading to Article 7;
- (c) Article 7(1);
- (d) Article 8(2);
- (e) Article 9(1) and (2);
- (f) Article 10(4)(b)(ii).

23 Social Security (Airmen) (Jersey) Order 1974

In the Social Security (Airmen) (Jersey) Order 1974^[38] in Articles 5 and 6, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

24 Social Security (Mariners) (Jersey) Order 1974

In the Social Security (Mariners) (Jersey) Order 1974^[39] in Articles 6, 7 and 8, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

25 Social Security (Accident Benefit) (Jersey) Order 1974

In the Social Security (Accident Benefit) (Jersey) Order 1974,^[40] in Article 2(1) and (3) and Article 3(1) and (4), for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

26 Social Security (Classification) (Jersey) Order 1974

In the Social Security (Classification) (Jersey) Order 1974,^[41] in Schedule 1, Part 2–

- (a) in column B of item 8 for the words “under the Committee for Postal Administration” there shall be substituted the words “by a company prescribed under Article 27 of the Postal Services (Jersey) Law 2004”;
- (b) in column A of items 24 and 25 for the word “Committee” there shall be substituted the word “Minister”.

27 Social Security (Contributions) (Jersey) Order 1975

In the Social Security (Contributions) (Jersey) Order 1975^[42] –

- (a) in Article 1(2) for the words “office of the Committee” there shall be substituted the words “office of an administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 2(1)(d)(ii) and (iv) for the words “an officer of the Committee” there shall be substituted the words “an officer in an administration of the States for which the Minister is assigned responsibility”;
- (c) in Article 11 for the words “required by it” there shall be substituted the words “required by the Minister”;
- (d) in Article 14(4) for the words “as it requires” there shall be substituted the words “as the Minister requires”;
- (e) in the following provisions, for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (i) Article 1(1) and (2),
 - (ii) Article 2(1)(a)(i) and (d),
 - (iii) Article 9(1),
 - (iv) Article 11,
 - (v) Article 12(1),
 - (vi) Article 13(f),
 - (vii) Article 14,
 - (viii) Article 16(1)(a) and (b),
 - (ix) Articles 17, 18 and 19,
 - (x) Article 20(6),
 - (xi) Article 21(1),
 - (xii) Article 23.

28 Social Security (Maternity Benefit) (Jersey) Order 1975

In the Social Security (Maternity Benefit) (Jersey) Order 1975^[43] –

- (a) in Article 8(1)(b) for the words “the Committee or its officers” there shall be substituted the words “the Minister or an officer in an administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 4(2) and the proviso to Article 5(2) for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

29 Social Security (Overlapping Benefits) (Jersey) Order 1975

In the Social Security (Overlapping Benefits) (Jersey) Order 1975^[44] –

- (a) in Article 6(b) for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (b) in Article 6(a) and (b) and Article 9(3) for the word “Committee” there shall be substituted the word “Minister”.

30 Social Security (General Benefit) (Jersey) Order 1975

In the Social Security (General Benefit) (Jersey) Order 1975^[45] –

- (a) in Article 12(2) for the words “it may direct” there shall be substituted the words “the Minister may direct”;
- (b) in the proviso to Article 11(1) and in Article 12(2) and (7) for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

31 Invalid Care and Disability Allowances (General Provisions) (Jersey) Order 1978

In the Invalid Care and Disability Allowances (General Provisions) (Jersey) Order 1978^[46] –

- (a) in Article 17(1)(d)(i) for the words “the Committee or its officers” there shall be substituted the words “the Minister or an officer in an administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 20(3) for the words “in its discretion” there shall be substituted the words “in his or her discretion”;
- (c) in Article 26 for the words “as it may require” there shall be substituted the words “as the Minister may require”;
- (d) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word Minister –
 - (i) Article 5(4),
 - (ii) Article 10(1)(a),
 - (iii) Articles 12, 17, 20, 21, 22, 24 and 26,
 - (iv) Article 27(1),
 - (v) Article 28(2),
 - (vi) Article 30 and 31,
 - (vii) Article 32(1).

32 Safeguarding of Workers (Cranes and Lifting Appliances) (Jersey) Regulations 1978

In the Safeguarding of Workers (Cranes and Lifting Appliances) (Jersey) Regulations 1978^[47] –

- (a) in Regulation 27 –
 - (i) for the words “which it may at its discretion” there shall be substituted the words “which the Minister may at his or her discretion”,
 - (ii) for the words “if it is satisfied” there shall be substituted the words “if the Minister is satisfied”;
- (b) in Regulation 29(1) for the words “it is” there shall be substituted the words “the Minister is”;
- (c) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 1, in the definition “approved”,
 - (ii) Regulation 27,
 - (iii) Regulation 29(1).

33 Cranes (Automatic Safe Load Indicators) (Jersey) Order 1979

In Article 1 of the Cranes (Automatic Safe Load Indicators) (Jersey) Order 1979^[48] for the word “Committee” there shall be substituted the word “Minister”.

34 Safeguarding of Workers (Highly Flammable Liquids) (Jersey) Regulations 1979

In the Safeguarding of Workers (Highly Flammable Liquids) (Jersey) Regulations 1979^[49] –

- (a) in Regulation 3(2) for the words “its discretion” there shall be substituted the words “his or her discretion”;
- (b) in Regulations 3 and 21(1) for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

35 Safeguarding of Workers (Chains, Ropes and Lifting Gear) (Jersey) Regulations 1979

In the Safeguarding of Workers (Chains, Ropes and Lifting Gear) (Jersey) Regulations 1979^[50] –

- (a) in Regulation 18–
 - (i) for the words “which it may at its discretion” there shall be substituted the words “which the Minister may at his or her discretion”,
 - (ii) for the words “if it is satisfied” there shall be substituted the words “if the Minister is satisfied”;
- (b) in Regulation 20(1) for the words “it is” there shall be substituted the words “the Minister is”;
- (c) in the following provisions for the word “Committee” there shall be substituted the word “Minister” –
 - (i) Regulation 1,
 - (ii) Regulation 17(2),
 - (iii) Regulation 18,
 - (iv) Regulation 20(1).

36 Safeguarding of Workers (Electricity at Work) (Jersey) Regulations 1983

In Regulation 20 of the Safeguarding of Workers (Electricity at Work) (Jersey) Regulations 1985^[51] –

- (a) for the word “Committee” there shall be substituted the word “Minister”;
- (b) for the words “which it may at its discretion” there shall be substituted the words “which the Minister may at his or her discretion”;
- (c) for the words “if it is satisfied” there shall be substituted the words “if the Minister is satisfied”.

37 Safeguarding of Workers (Liquefied Petroleum Gas) (Jersey) Regulations 1984

In the Safeguarding of Workers (Liquefied Petroleum Gas) (Jersey) Regulations 1984^[52] –

- (a) in Regulation 1 the definition “Committee” shall be deleted;
- (b) in Regulation 3(2) for the words “its discretion” there shall be substituted the words “his or her discretion”;
- (c) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 3,
 - (ii) Regulation 4(4)(a),
 - (iii) Regulation 5(2)(a).

38 Attendance Allowances (Jersey) Regulations 1987

In the proviso to Regulation 2(1) of the Attendance Allowances (Jersey) Regulations 1987^[53] for the words “the Health and Social Services Committee in pursuance of the Children (Jersey) Law 1969” there shall be substituted the words “the Minister for Health and Social Services”.

39 Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989

In the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989^[54] –

- (a) in Regulation 3(2) for the words “President of the Committee” there shall be substituted the word “Minister”;
- (b) in Regulation 6 for the word “Committee” there shall be substituted the word “Minister”.

40 Health and Safety at Work (Inquiries Procedure) (Jersey) Regulations 1990

In the Health and Safety at Work (Inquiries Procedure) (Jersey) Regulations 1990^[55] –

- (a) in Regulation 3(2) for the words “appear to it” there shall be substituted the words “appear to the Minister”;
- (b) in Regulation 5(2) for the words “The Committee, any other Committee of the States,” there shall be substituted the words “The Minister, any other Minister.”;
- (c) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 1(1), in the definition “appointed person”,
 - (ii) Regulation 3(1), (2) and (4),
 - (iii) Regulation 4(a),

(iv) Regulation 9.

41 Health and Safety at Work (Lifts) (Jersey) Regulations 1990

In the Health and Safety at Work (Lifts) (Jersey) Regulations 1990^[56] –

- (a) in Regulations 4(7) and 9 for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”;
- (b) in Regulation 9 for the word “Committee’s” there shall be substituted the word “Minister’s”.

42 Social Security Advisory Council (Jersey) Order 1992

In the Social Security Advisory Council (Jersey) Order 1992^[57] –

- (a) in Article 1(a) for the word “Committee’s” there shall be substituted the word “Minister’s”;
- (b) in the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 1(a),
 - (ii) Article 2,
 - (iii) Article 3,
 - (iv) Article 4(2),
 - (v) Article 8.

43 Health Insurance (Conditions for Approval of Medical Practitioners) (Jersey) Regulations 1993

In Regulation 2 of the Health Insurance (Conditions for Approval of Medical Practitioners) (Jersey) Regulations 1993^[58] for the words “by the Committee” there shall be substituted the words “by the Minister”.

44 Health and Safety at Work (Freight Containers Safety Convention) (Jersey) Regulations 1994

In the Health and Safety at Work (Freight Containers Safety Convention) (Jersey) Regulations 1994^[59] –

- (a) in Regulation 7(2) –
 - (i) in sub-paragraph (a) for the words “it proposes” there shall be substituted the words “the Minister proposes”,
 - (ii) in the full-out words for the words “it is satisfied” there shall be substituted the words “the Minister is satisfied”;
- (b) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 4(1)(a) and (2)(b),
 - (ii) Regulation 6(1),
 - (iii) Regulations 7 and 8.

45 Social Security (Investment Managers) (Jersey) Order 1996

In the Social Security (Investment Managers) (Jersey) Order 1996^[60] –

- (a) in Article 1, for the definition “Committee” there shall be substituted the following definition –
“ ‘Minister’ means the Minister for Treasury and Resources;”;
- (b) in the following provisions for the word “Committee” there shall be substituted the word “Minister –
 - (i) Article 1, in the definition “proper advice”,
 - (ii) Article 2(a) and (b),
 - (iii) Article 3(b) and (c),
 - (iv) Article 4.

46 Health Insurance (Investment Managers) (Jersey) Order 1996

In the Health Insurance (Investment Managers) (Jersey) Order 1996^[61] –

- (a) in Article 1–
 - (i) the definition “Committee” shall be deleted,
 - (ii) after the definition “Law” there shall be inserted the following definition –
“ ‘Minister’ means the Minister for Treasury and Resources;”;
- (b) in the following provisions for the word “Committee” there shall be substituted the word “Minister –
 - (i) Article 1, in the definition “proper advice”,
 - (ii) Article 2(a) and (b),
 - (iii) Article 3(b) and (c),
 - (iv) Article 4.

47 Disability Transport Allowance (General Provisions) (Jersey) Order 1997

In the Disability Transport Allowance (General Provisions) (Jersey) Order 1997^[62] –

- (a) in Article 6(c)(i) for the words “its officers” there shall be substituted the words “any officer in an administration of the States for which the Minister is assigned responsibility”;
- (b) in Article 16 for the words “as it may require” there shall be substituted the words “as the Minister may require”;
- (c) in Article 20(2) for the words “it is satisfied” there shall be substituted the words “the Minister is satisfied”;
- (d) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Articles 6 and 7,
 - (ii) Article 8(3),
 - (iii) Article 10(1), (2) and (3),
 - (iv) Article 11, 12, 14 and 16,
 - (v) Article 17(1),
 - (vi) Article 18(2)(c),
 - (vii) Article 20(2) and (3),
 - (viii) Article 21(1),
 - (ix) Article 22(1).

48 Asbestos (Licensing) (Jersey) Regulations 1997

In the Asbestos (Licensing) (Jersey) Regulations 1997^[63] –

- (a) in Regulation 1–
 - (i) the definition “Committee” shall be deleted,
 - (ii) in the definition “inspector” for the words “Employment and Social Security Committee” there shall be substituted the word “Minister”;
- (b) in Regulation 3(1) and (3) for the words “where it considers appropriate” there shall be substituted the words “where he or she considers appropriate”;
- (c) in Regulation 5(2)–
 - (i) in sub-paragraph (a) for the words “which it proposes” there shall be substituted the words “which the Minister proposes”,
 - (ii) in the full-out words for the words “it is satisfied” there shall be substituted the words “the Minister is satisfied”;
- (d) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Regulation 3(1), (2)(c), (3), (4) and (5),
 - (ii) Regulation 4(1)(a),
 - (iii) Regulation 5(1) and (2),
 - (iv) Regulation 6.

49 Social Security (Old Age Pensions and Survivor’s Benefit) (Jersey) Order 2001

In Article 2(1) of the Social Security (Old Age Pensions and Survivor’s Benefit) (Jersey) Order 2001^[64] for the word “Committee” there shall be substituted the word “Minister”.

50 Social Security (Collection of Contributions) (Jersey) Order 2001

In the Social Security (Collection of Contributions) (Jersey) Order 2001^[65] in Article 11(8)(b) and Article 18(2)(b) for the word “Committee” there shall be substituted the word “Minister”.

51 Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Jersey) Order 2002

In the Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Jersey) Order 2002^[66] –

- (a) in Article 4–
 - (i) in paragraph (1) for the words “The Committee may act in accordance with paragraph (2) if at any time it is satisfied” there shall be substituted the words “The Minister may act in accordance with paragraph (2) if at any time he or she is satisfied”,
 - (ii) in paragraph (2) for the words “The Committee” there shall be substituted the words “The Minister”;
- (b) in Part 1 of Schedule 1 for the words “Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”;
- (c) in Part 2 of Schedule 1 for the words “Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”;

- (d) in Schedule 3, in the Notes for patient, for the words “States of Jersey Employment and Social Security Committee” there shall be substituted the words “Minister for Social Security”;
- (e) in the following provisions for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (i) Article 5(1)(e),
 - (ii) the heading to Article 9,
 - (iii) Article 9(1),
 - (iv) Schedule 2, Part 1, paragraph 2(2)(b), (3) and (4) and paragraphs 4, 7, 8 and 9,
 - (v) Schedule 5, item 2(f)(ii).

52 Health and Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations 2002

In Regulation 14 of the Health and Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulation 2002^[67] –

- (a) in paragraphs (1) and (2) for the word “Committee” there shall be substituted the word “Minister”;
- (b) in paragraph (2)–
 - (i) in sub-paragraph (a) for the words “which it proposes” there shall be substituted the words “which the Minister proposes”,
 - (ii) in the full-out words, for the words “it is satisfied” there shall be substituted the words “if the Minister is satisfied”.

53 Social Security (Incapacity Benefits) (Jersey) Order 2004

In the following provisions of the Social Security (Incapacity Benefits) (Jersey) Order 2004,^[68] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 1;
- (b) Article 2(1)(a);
- (c) Article 3(3);
- (d) Article 6(1) and (4);
- (e) Article 7(2)(b).

54 Employment (Minimum Wage) (Jersey) Regulations 2004

In Article 1 of the Employment (Minimum Wage) (Jersey) Regulations 2004,^[69] in the definition “accredited training” for the words “Employment and Social Security Committee” there shall be substituted the word “Minister”.

PART 2

(Regulation 19(2))

TRIENNIAL REGULATIONS AMENDED

55 Milk (Sale to Special Classes) (Jersey) Regulations 2004

- (1) In this paragraph, a reference to a provision is a reference to that provision in the Milk (Sale to Special Classes) (Jersey) Regulations 2004. [\[70\]](#)
- (2) In Regulation 1 –
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “milk” there shall be inserted the following definition –

“‘Minister’ means the Minister for Social Security;”.
- (3) In Regulations 2, 3, 5, 6 and 7, 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 VII, page 8.*
- [3] *Recueil des Lois, Volume 1961-1962, page 455.*
- [4] *Recueil des Lois, Volume 1966-1967, page 535, Volume 1968-1969, pages 1 and 663, Volume 1970-1972, page 163, Volume 1973-1974, pages 57 and 358, Volume 1984-1985, pages 141 and 209, Volume 1986-1987, page 395, Volume 1994-1995, page 125, Volume 1996-1997, pages 21, 25, 279 and 781, Volume 1998, page 722, Volume 1999, pages 418 and 515, Volume 2002, page 297 and Volume 2003, page 369.*
- [5] *Recueil des Lois, Volume 1968-1969, page 665, Volume 1984-1985, page 179 and No. 6608.*
- [6] *Recueil des Lois, Volume 1970-1972, page 413, Volume 1973-1974, page 409, Volume 1984-1985, pages 81 and 143, Volume 1990-1991, page 413, Volume 1992-1993, page 113, Volume 1998, page 722, Volume 1999, page 419, Volume 2001, page 298, Volume 2002, page 298, Volume 2003, page 359 and Nos. 5761, 5907 and 8455.*
- [7] *Recueil des Lois, Volume 1973-1974, page 49, Volume 1975-1978, page 15, Volume 1984-1985, page 139, Volume 1986-1987, page 169, Volume 1990-1991, page 463, Volume 1998, page 722, Volume 1999, page 419 and Nos. 6131 and 6333.*
- [8] *Recueil des Lois, Volume 1973-1974, page 93, Volume 1984-1985, page 183, Volume 1992-1993, page 97 and No. 44/2003.*
- [9] *Recueil des Lois, Volume 1973-1974, page 319, Volume 1982-1983, pages 51, 53 and 239, Volume 1986-1987, pages 149, 151 and 227, Volume 1990-1991, pages 467 and 1117, Volume 1992-1993, pages 433 and 437, Volume 1994-1995, page 423, Volume 1996-1997, pages 7 and 1063, Volume 1998, page 722, Volume 1999, pages 419 and 515, Volume 2000, page 873, Volume 2002, pages 639 and 643, Volume 2004, page 839 and Nos. 6132, 7640, 7666, 8602 and 9112.*
- [10] *Recueil des Lois, Volume 1975-1978, page 435, Volume 1979-1981, page 377, Volume 1984-1985, page 193, Volume 1990-1991, page 465, Volume 1992-1993, page 1, Volume 1998, page 722 and Volume 1999, page 419.*
- [11] *Recueil des Lois, Volume 1988-1989, pages 323 and 513, Volume 1996-1997, page 621 and Volume 2002, page 409.*
- [12] *Recueil des Lois, Volume 1990-1991, pages 393 and 441.*
- [13] *Recueil des Lois, Volume 1996-1997, page 489a, Volume 1998, page 722 and Volume 1999, page 420.*
- [14] *Recueil des Lois, Volume 2003, page 141.*
- [15] *Recueil des Lois, Volume 2003, page 479.*
- [16] *Nos. 4937, 5783 and 7201.*
- [17] *Nos. 4976 and 5232.*
- [18] *No. 4977.*
- [19] *No. 4981.*
- [20] *Nos. 5005, 5290, 5646, 34/2000, 198/2001, 117/2002, 16/2004 and 160/2004.*
- [21] *Nos. 5330, 6413, 7265 and 8120.*
- [22] *No. 5367.*
- [23] *Nos. 5381, 5626, 5784, 6597, 6661, 6701, 6766, 7201 and 8962.*
- [24] *Nos. 5626 and 5781.*
- [25] *Nos. 6077, 6261, 7067, 7666, 66/2001 and 84/2004.*
- [26] *Nos. 5807, 5923, 8481 and 9229.*
- [27] *Nos. 5813 and 8537.*
- [28] *Nos. 5855, 5971 and 8538.*
- [29] *No. 5876.*
- [30] *Nos. 5879 and 5930.*

- [31] Nos. 6077, 6261, 7067, 7666, 66/2001 and 84/2004.
- [32] Nos. 6080, 7316, 64/2001, 79/2004 and 165/2004.
- [33] Nos. 6081, 7083 and 80/2004.
- [34] Nos. 6082 and 7088.
- [35] Nos. 6083, 7280, 7666, 67/2001 and 86/2004.
- [36] Nos. 6084 and 109/2004.
- [37] Nos. 6085 and 85/2004.
- [38] Nos. 6088 and 77/2004.
- [39] Nos. 6089, 7437 and 78/2004.
- [40] Nos. 6100 and 87/2004.
- [41] Nos. 6107, 6916, 8532 and 45/2000.
- [42] Nos. 6108, 6804, 7556, 7584, 7666, 8605, 9169, 63/2001, 150/2001 and 83/2004.
- [43] Nos. 6124, 7089 and 7271.
- [44] Nos. 6134, 6376, 7556, 7666, 9/2000, 65/2001 and 81/2004.
- [45] Nos. 6149, 7556, 68/2001 and 76/2004.
- [46] Nos. 6552, 6994, 7144, 7185, 7604, 7884 and 7934.
- [47] Nos. 6597 and 7201.
- [48] No. 6632.
- [49] Nos. 6690 and 9048.
- [50] No. 6766.
- [51] Nos. 7201 and 9046.
- [52] Nos. 7285 and 9047.
- [53] Nos. 7628, 7731 and 7841.
- [54] No. 7974.
- [55] No. 8034.
- [56] No. 8108.
- [57] No. 8483.
- [58] No. 8562.
- [59] No. 8668.
- [60] No. 8939.
- [61] No. 8940.
- [62] No. 9080.
- [63] No. 9119.
- [64] No. 69/2001.
- [65] No. 149/2001.
- [66] Nos. 48/2002, 85/2003, 90/2004 and 99/2004.
- [67] No. 115/2002.
- [68] No. 87/2004.
- [69] No. 89/2004.
- [70] No. 31/2004.