
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – HOUSING – JULY 2009 REVISED DELEGATIONS

Presented to the States on 28th July 2009
by the Minister for Housing

STATES GREFFE

REPORT

On 24th July 2009, the Minister for Housing made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-H-2009-0070, 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 –

BACKGROUND

On 19th May 2006, 21st November 2008 and 9th January 2009 respectively, the Minister for Housing made decisions delegating certain of his functions under Article 27 of the States of Jersey Law 2005 in respect of the matters detailed below.

19th May 2006 – MD-H-2006-0037

The Minister in pursuance of Article 27(1) of the States of Jersey Law 2005, delegated all powers and functions in respect of the Housing Department, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Deputy Jackie Hilton, for any periods when he is unavailable or out of the Island

21st November 2008 – MD-H-2008-0109

The Minister, in pursuance of Article 27 of the States of Jersey Law 2005, as amended, delegated to the Chief Officer of Housing the following delegated power with immediate effect.

Scheme of Delegation

Function delegated – the Minister delegated authority for maintaining the Department's scheme of delegation and authorised signatory lists to the Accounting Officer of the Housing Department.

9th January 2009 – MD-H-2009-0003

The Minister, in pursuance of Article 27 of the States of Jersey Law 2005, as amended, delegated to the Chief Officer of Housing the following delegated powers with immediate effect.

- (a) **Sales of property to States tenants in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with HD20 Allocations Policy for Sales and HD22 Valuation Policy for Sales.

- (b) **Open market sales in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with P6/2007 and HD22 Valuation Policy for Sales.
- (c) **Evictions of States tenants due to rent arrears or other breaches of the Tenancy Agreement.**
Function delegated – the power to agree to the eviction of States tenants where a breach of the tenancy agreement can be evidenced.
- (d) **Increases in non-social rented charges and fees, specifically those associated with Paid Parking and Garage lettings.**
Function delegated – specifically the power to increase those charges in line with the requirements of Financial Direction 4.1

None of these delegations prevent the Minister from exercising those functions personally.

The details of all delegated functions must be set out in a report to the States. This was last done in R.3/2008, which requires updating in light of the new decisions detailed above.

REVISED DELEGATIONS

The Minister has therefore –

1. Rescinded MD-H-2008-0109 and MD-H-2009-0003.
2. In pursuance of Article 27 of the States of Jersey Law 2005, as amended, delegated all powers and functions in respect of the Housing Department, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Deputy Sean Power of St. Brelade, for any periods when he is unavailable or out of the Island.
3. In pursuance of Article 27 of the States of Jersey Law 2005, as amended, delegated to the Chief Officer of Housing the following delegated powers with immediate effect.
 - (a) **Sales of property to States tenants in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with HD20 Allocations Policy for Sales and HD22 Valuation Policy for Sales.
 - (b) **Open market sales in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with P6/2007 and HD22 Valuation Policy for Sales.

- (c) Evictions of States tenants due to rent arrears or other breaches of the Tenancy Agreement.**
Function delegated – the power to agree to the eviction of States tenants where a breach of the tenancy agreement can be evidenced.
- (d) Increases in non-social rented charges and fees, specifically those associated with Paid Parking and Garage lettings.**
Function delegated – specifically the power to increase those charges in line with the requirements of Financial Direction 4.1
- (e) Scheme of Delegation**
Function delegated – the Minister delegated authority for maintaining the Department’s scheme of delegation and authorised signatory lists to the Accounting Officer of the Housing Department.

Note: This Report supersedes R.3/2008.