

STATES OF JERSEY

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DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 12) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 4th October 2005
by the Policy and Resources Committee**

STATES GREFFE



Jersey

**DRAFT STATES OF JERSEY (AMENDMENTS AND
CONSTRUCTION PROVISIONS No. 12) (JERSEY) REGULATIONS
200-**

REPORT

The report relating to this projet is published within P.215/2005.

Explanatory Note

The object of these Regulations is to make further consequential amendments to Jersey legislation as a result of the move to a system of ministerial government. These Regulations take into account legislation that has come into force (or has at least been passed) since 1 February 2005, as well as changes in the proposed assignment of legislation to Ministers, and changes to proposed Ministerial titles, since then.

At the same time minor corrections are made by replacing certain amendments contained in some of the other Amendments and Construction Regulations under the States of Jersey Law 2005. These Regulations have already been made by the States but are not yet in force.



Jersey

DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 12) (JERSEY) REGULATIONS 200-

Arrangement

Regulation

<u>1</u>	<u>Motor Traffic (Jersey) Law 1935 – amended</u>
<u>2</u>	<u>Electricity (Jersey) Law 1937 – amended</u>
<u>3</u>	<u>Fertilisers and Feeding Stuffs (Jersey) Law 1950 – amended</u>
<u>4</u>	<u>Civil Aviation (Supplementary Provisions) (Jersey) Law 1955 – amended</u>
<u>5</u>	<u>Diseases of Animals (Jersey) Law 1956 – amended</u>
<u>6</u>	<u>Road Traffic (Jersey) Law 1956 – amended</u>
<u>7</u>	<u>Income Tax (Jersey) Law 1961 – amended</u>
<u>8</u>	<u>Dogs (Jersey) Law 1961 – amended</u>
<u>9</u>	<u>Food Safety (Jersey) Law 1966 – amended</u>
<u>10</u>	<u>Public Employees (Retirement) (Jersey) Law 1967 – amended</u>
<u>11</u>	<u>Mental Health (Jersey) Law 1969 – amended</u>
<u>12</u>	<u>Family Allowances (Jersey) Law 1972 – amended</u>
<u>13</u>	<u>Teachers’ Superannuation (Jersey) Law 1979 – amended</u>
<u>14</u>	<u>Administrative Decisions (Review) (Jersey) Law 1982 – amended</u>
<u>15</u>	<u>Drug Trafficking Offences (Jersey) Law 1988 – amended</u>
<u>16</u>	<u>Emergency Powers and Planning (Jersey) Law 1990– amended</u>
<u>17</u>	<u>Criminal Justice (Young Offenders) (Jersey) Law 1994 – amended</u>
<u>18</u>	<u>Termination of Pregnancy (Jersey) Law 1997 – amended</u>
<u>19</u>	<u>Radio Equipment (Jersey) Law 1997 – amended</u>
<u>20</u>	<u>Financial Services (Jersey) Law 1998 – amended</u>
<u>21</u>	<u>Chemical Weapons Act 1996 (Jersey) Order 1998 – construed</u>
<u>22</u>	<u>Marriage and Civil Status (Jersey) Law 2001 – amended</u>
<u>23</u>	<u>Jersey Legal Information Board (Incorporation) Law 2004 – amended</u>
<u>24</u>	<u>Postal Services (Jersey) Law 2004 – amended</u>
<u>25</u>	<u>Public Employees (Retirement) (Validation and Amendment) (Jersey) Law 2005 – amended</u>
<u>26</u>	<u>Competition (Jersey) Law 2005 – amended</u>
<u>27</u>	<u>Regulation of Investigatory Powers (Jersey) Law 2005 – amended</u>
<u>28</u>	<u>Planning and Building (Amendment) (Jersey) Law 2005 – amended</u>
<u>29</u>	<u>Planning and Building (Amendment No. 2) (Jersey) Law 2005 – amended</u>
<u>30</u>	<u>Jersey Overseas Aid Commission (Jersey) Law 2005 – amended</u>
<u>31</u>	<u>Amendments to subordinate enactments</u>
<u>32</u>	<u>Citation and commencement</u>

SCHEDULE

SUBORDINATE ENACTMENTS AMENDED

1 Prison (Jersey) Rules 1957– amended
2 Motor Vehicles (International Circulation) (Jersey) Regulations 1958– amended
3 Road Racing (General Provisions) (Jersey) Order 1959– amended
4 Road Traffic (Prohibition of Waiting) (Clearways) (Jersey) Order 1963– amended
5 Food Hygiene (General Provisions) (Jersey) Order 1967– amended
6 Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – amended
7 Ancillary Dental Workers (Jersey) Regulations 1974
8 Social Security (Classification) (Jersey) Order 1974
9 Road Traffic (Saint Ouen) (Jersey) Order 1979– amended
10 Road Traffic (Disabled Persons) (Badges for Motor Vehicles) (Jersey) Order 1982 – amended
11 Road Traffic (Pedestrian Crossings) (Jersey) Order 1982– amended
12 Teachers’ Superannuation (General Provisions) (Jersey) Order 1986 – amended
13 Road Traffic (Saint Lawrence) (Jersey) Order 1990– amended
14 Road Traffic (Saint Helier) (Jersey) Order 1996– amended
15 Teachers’ Superannuation (Financial Provisions) (Jersey) Order 1996 – amended
16 Medicines (Applications for Manufacturer’s and Wholesale Dealer’s Licences) (Jersey)
Order 1997
17 Motor Vehicles (Construction and Use) (Jersey) Order 1998– amended
18 Road Traffic (Public Parking Places) (Jersey) Order 2004– amended
19 Royal Court Rules 2004– amended
20 Community Provisions (Burma/Myanmar Sanctions) (Jersey) Order 2005 – amended
21 Financial Services (General Insurance Mediation Business (Registration and Fees)) (Jersey)
Order 2005 – amended
22 Shipping (Safety Codes) (Jersey) Order 2005 – amended
23 Community Provisions (Animal Feeding) (Jersey) Regulations 2005 – amended
24 Employment Tribunal (Jersey) Regulations 2005 – amended
25 States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005–
amended
26 States of Jersey (Amendments and Construction Provisions No. 2) (Jersey) Regulations 2005 –
amended
27 States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005 –
amended
28 States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005 –
amended
29 States of Jersey (Amendments and Construction Provisions No. 6) (Jersey) Regulations 2005 –
amended
30 States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005 –
amended
31 States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005 –
amended
32 Education (Discretionary Grants) (Jersey) Order 2005 – amended



Jersey

DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 12) (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 Motor Traffic (Jersey) Law 1935 – amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Motor Traffic (Jersey) Law 1935^[2]
- (2) In Part 4, before Article 14, there shall be inserted the following Article–

“A14 Interpretation of Part 4

In this Part ‘Minister’ means the Minister for Transport and Technical Services.”.

- (3) For the heading to Article 14 there shall be substituted the heading “Duties of Minister”.
- (4) In Article 14(2) and (3) for the words “its functions” there shall be substituted the words “his or her functions”.
- (5) In Article 17(1) for the words “if it considers” there shall be substituted the words “if the Minister considers”.
- (6) In Article 19(4) for the words “if it considers that to do so would be consistent with its duties” there shall be substituted the words “if the Minister considers that to do so would be consistent with his or her duties”.
- (7) In Article 20(1) for the words “as in its opinion are necessary or desirable to achieve its duties” there shall be substituted the words “as in the Minister’s opinion are necessary or desirable to fulfil his or her duties”.
- (8) In Article 21(1)(c) for the words “Environment and Public Services Committee’s” there shall be substituted the word “Minister’s”.
- (9) In Article 23(2) for the words “unless it is satisfied that – (a) its duties’ there shall be substituted the words “unless he or she is satisfied that – (a) the Minister’s duties”.
- (10) In Article 24–
 - (a) for paragraph (8) there shall be substituted the following paragraph–

“(8) When the Minister has made his or her decision the Minister must give a further notice.”;

- (b) in paragraph (9)(c) for the words “Environment and Public Services Committee’s” there shall be substituted the words “Minister’s”;
 - (c) in paragraph (10) for the words “as it is satisfied” there shall be substituted the words “as he or she is satisfied”.
- (11) In Article 26(2) for the words “Committee, or to a person appointed by it” there shall be substituted the words “Minister, or to a person appointed by the Minister”.
- (12) In Article 27(1) for the words “in which it shall enter details of – (a) each omnibus licence it grants;” there shall be substituted the words “in which the Minister shall enter details of – (a) each omnibus licence he or she grants;”.
- (13) For Article 36(4) there shall be substituted the following paragraph–
- “(4) In this Article ‘Minister’, in respect of an omnibus service licence, means the Minister for Transport and Technical Services.”.
- (14) In Article 42(3)(a) for the words “Home Affairs Committee or the Environment and Public Services Committee of its functions” there shall be substituted the words “Minister or the Minister for Transport and Technical Services of his or her functions”.
- (15) In Article 44 for paragraph (2)(b), (c) and (d) there shall be substituted the following sub paragraphs –
- “(b) the Minister;
 - (c) the Minister for Transport and Technical Services;
 - (d) a person who is, or is acting as, an officer, employee or agent of either of those Ministers or performing a duty or exercising a power on behalf of either of those Ministers; and”.
- (16) In Article 45, in paragraphs (1), (2), (3) and (7), for the word “Committee” in each place where it appears there shall be substituted the word “Minister”.
- (17) In Article 46–
- (a) in paragraph (1)–
 - (i) for the words “The Home Affairs Committee or, as the case may be, the Environment and Public Services Committee” there shall be substituted the words “The Minister or, as the case may be, the Minister for Transport and Technical Services”;
 - (ii) for the words “either Committee” there shall be substituted the words “either Minister”;
 - (b) in paragraph (3)(c) for the words “the Committee making the Order” there shall be substituted the words “the Minister making the Order”.
- (18) In the following provisions for the words “Environment and Public Services Committee” in each place where they appear there shall be substituted the word “Minister” –
- (a) Article 14(1), (2) and (3);
 - (b) Article 16(1);
 - (c) Article 17(1), (2) and (6);
 - (d) Article 18(1);
 - (e) Article 19(1), (2), (3), (4), (5), (7), (8) and (9);
 - (f) Article 20(1), (2) and (3);
 - (g) Article 21(1), (2) and (4);
 - (h) Article 22(1) and (2);
 - (i) Article 23(1), (2), (4), (5) and (6);
 - (j) Article 24(1), (2), (6), (7) and (10);
 - (k) Article 25(1), (3), (4) and (6);

- (l) Article 26(1), (2), (4), (6) and (10);
- (m) Article 27(1);
- (n) Article 37(3).

2 Electricity (Jersey) Law 1937 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Electricity (Jersey) Law 1937.^[3]
- (2) In Article 5 –
 - (a) for the words “President of the Environment and Public Services Committee” there shall be substituted the words “Minister for Transport and Technical Services”;
 - (b) for the words “or President” in each place where they appear there shall be substituted the words “or Minister”.
- (3) In Article 8 –
 - (a) for the words “Environment and Public Services Committee” there shall be substituted the words “Minister for Transport and Technical Services”;
 - (b) for the words “said Committee” there shall be substituted the words “said Minister”;
 - (c) for the words “competent Committee of the States” there shall be substituted the words “said Minister”.
- (4) In Article 9(1) for the words “Environment and Public Services Committee or an official designated by it” there shall be substituted the words “Minister for Transport and Technical Services or an official designated by the Minister”.

3 Fertilisers and Feeding Stuffs (Jersey) Law 1950 – amended

In Article 9A(1) of the Fertilisers and Feeding Stuffs (Jersey) Law 1950,^[4] for the word “Committee” there shall be substituted the word “Minister”.

4 Civil Aviation (Supplementary Provisions) (Jersey) Law 1955 – amended

In Article 1(1) of the Civil Aviation (Supplementary Provisions) (Jersey) Law 1955^[5] after the definition “land” there shall be inserted the following definition –

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

5 Diseases of Animals (Jersey) Law 1956 – amended

In Article 32B(3) of the Diseases of Animals (Jersey) Law 1956,^[6] for the word “Committee” there shall be substituted the word “Minister”.

6 Road Traffic (Jersey) Law 1956 – amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Road Traffic (Jersey) Law 1956^[7]
- (2) In Article 60–
 - (a) in paragraph (1) for the words “as it may determine” there shall be substituted the words “as the Minister may determine”;

- (b) in paragraph (4) for the words “as it thinks fit” and “on its behalf” there shall be substituted the words “as the Minister thinks fit” and “on the Minister’s behalf” respectively.
- (3) In Article 63(3) for the words “The exercise by the Committee of its functions under this Article shall not render it” there shall be substituted the words “The exercise by the Minister for Transport and Technical Services of his or her functions under this Article shall not render the Minister”.
- (4) In Article 64(6)(a) for the words “as it may specify” there shall be substituted the words “as the Minister may specify”.
- (5) In Article 69(1) for the words “as it considers necessary” there shall be substituted the words “as the Minister considers necessary”.
- (6) In Article 72–
- (a) in paragraph (5) for the words “the Committee may itself” there shall be substituted the words “the Minister may personally”;
- (b) in paragraph (6) for the words “its powers and duties” there shall be substituted the words “the Minister’s powers and duties”.
- (7) In Article 84 for paragraph (1) there shall be substituted the following paragraphs–
- “(1) The Minister for Transport and Technical Services may make Orders for any purpose for which Orders may be made under Articles 21, 40, 46, 59, 60, 62, 63, 64, 69 and 72 and for prescribing anything which may be prescribed under those Articles and generally for the purpose of carrying those Articles into effect.
- (1AA) The Minister for Home Affairs may make Orders for any purpose for which Orders may be made under any provision of this Law not mentioned in paragraph (1) and for prescribing anything which may be prescribed under those provisions and generally for the purpose of carrying those provisions into effect.”.
- (8) In the following provisions for the words “the Committee” in each place where they appear there shall be substituted the words “the Minister for Transport and Technical Services” –
- (a) Article 20(3);
- (b) Article 21(2);
- (c) Article 40(3);
- (d) Article 46(1);
- (e) Article 58;
- (f) Article 60(1), (2), (3), (4) and (5);
- (g) Article 62(1);
- (h) Article 63(1) and (2);
- (i) Article 64(1), (2), (3), (4), (5) and (6);
- (j) Article 65(5);
- (k) Article 68(2)(a);
- (l) Article 69(1) and (7);
- (m) Article 72(1), (2), (3), (5) and (6);
- (n) Article 74(5).

7 Income Tax (Jersey) Law 1961 – amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Income Tax (Jersey) Law 1961.^[8]
- (2) For Article 115(o) there shall be substituted the following paragraph –

“(o) payments made for the maintenance of a child being looked after by the Minister for Health and Social Services under the Children (Jersey) Law 2002;”.

(3) In Article 135B –

(a) for paragraph (1) there shall be substituted the following paragraph –

“(1) Notwithstanding anything in this Law or any other enactment –

(a) the Comptroller may disclose information to the Minister for Housing, or an officer in an administration of the States for which that Minister is assigned responsibility, for the purposes of the grant and revocation of 1(1)(k) housing consents;

(b) an officer in an administration of the States for which that Minister is assigned responsibility may disclose information to the Comptroller for the purposes of the administration of this Article.”;

(b) in paragraph (3) for the definition “officer” there shall be substituted the following definition –

“‘officer’ has the same meaning as in Article 25 of the States of Jersey Law 2005.”.

8 Dogs (Jersey) Law 1961 – amended

In Article 14 of the Dogs (Jersey) Law 1961^[9] for the words “the power of the Economic Development Committee to make Orders as to dogs by virtue of Article 22 of the Diseases of Animals (Jersey) Law 1956.” there shall be substituted the words “the power, by virtue of Article 22 of the Diseases of Animals (Jersey) Law 1956, of the Minister for Planning and Environment to make Orders as to dogs.”.

9 Food Safety (Jersey) Law 1966 – amended

In Article 9(2) of the Food Safety (Jersey) Law 1966,^[10] for the words “Environment and Public Services Committee” there shall be substituted the words “Minister for Economic Development”.

10 Public Employees (Retirement) (Jersey) Law 1967 – amended

(1) In this Regulation, any reference to a provision is a reference to the provision in the Public Employees (Retirement) (Jersey) Law 1967.^[11]

(2) In Article 1 –

(a) the definition “Committee” shall be deleted;

(b) after the definition “fund” there shall be inserted the following definition –

“‘Minister’ means the Chief Minister;”.

(3) In Articles 2(6) and 3(1)(c) for the words “Finance and Economics Committee” in each place where they appear there shall be substituted the words “Minister for Treasury and Resources”.

(4) In Articles 3(2) and (3) and 4 for the words “the Committee” in each place where they appear there shall be substituted the words “the Minister”.

(5) For Article 3(4) there shall be substituted the following paragraph –

“(4) The Minister may at any time require the Committee of Management to direct the actuary to review the operation of the fund and to make a report on the review to the Minister.”.

(6) In Article 3(5) for the words “The Committee” there shall be substituted the words “The Minister”.

11 Mental Health (Jersey) Law 1969 – amended

In Article 37 of the Mental Health (Jersey) Law 1969^[12] (as substituted by paragraph 5(b) of Schedule 6 to the Children (Jersey) Law 2002), for the word “Committee” in each place where it appears there shall be substituted the word “Minister”.

12 Family Allowances (Jersey) Law 1972 – amended

In Article 18(b) of the Family Allowances (Jersey) Law 1972^[13] (as substituted by paragraph 6 of Schedule 6 to the Children (Jersey) Law 2002), for the words “Health and Social Services Committee” there shall be substituted the words “Minister for Health and Social Services”.

13 Teachers’ Superannuation (Jersey) Law 1979 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Teachers’ Superannuation (Jersey) Law 1979.^[14]
- (2) In Article 1–
 - (a) for the definition “Committee” there shall be substituted the following definition –

“Minister’ means the Minister for Education, Sport and Culture;”;
 - (b) for the definition “prescribed” there shall be substituted the following definition –

“prescribed” means prescribed by Order made under this Law by the Minister for Education, Sport and Culture or the Minister for Treasury and Resources, as the context requires.”.
- (3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 2(1) and (2)(a), (g) and (h);
 - (b) Article 3(2)(c), (3)(c) and (11);
 - (c) Article 6(1).
- (4) In Article 3(4), (6)(b)(ii), (7), (8)(a) and (b) and (9), for the word “Committee”, in each place where it appears, there shall be substituted the words “Minister for Treasury and Resources”.
- (5) For Article 3(5) there shall be substituted the following paragraph –

“(5) The Minister for Treasury and Resources may, after consultation with the Minister for Education, Sport and Culture, appoint one or more investment managers and may by Order make provision in relation to the appointment of such managers.”.
- (6) For Article 3(10) there shall be substituted the following paragraph –

“(10) The Minister for Treasury and Resources shall by Order provide for the holding of meetings between such representatives of that Minister, the Minister for Education, Sport and Culture and the persons to whom Orders made under Article 2 apply, as may be prescribed, to discuss the management of the Fund.”.
- (7) In Article 3(11) for the words “its absolute discretion” there shall be substituted the words “his or her absolute discretion”.
- (8) In Article 7(1) and (3) for the word “Committee”, in each place where it appears, there shall be substituted the words “Minister for Education, Sport and Culture or the Minister for Treasury and Resources, as the context requires,”.

14 Administrative Decisions (Review) (Jersey) Law 1982 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Administrative Decisions (Review) (Jersey) Law 1982.^[15]
- (2) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 2;
 - (b) Article 9(1), (2) and (3).
- (3) In Article 8 for the words “Committee, Department or officer or employee of any Committee or Department” there shall be substituted the words “Minister, Department or officer, or employee, in a Department or in an administration of the States for which a Minister is assigned responsibility.”
- (4) In Article 9(4) for the words “the Committee” there shall be substituted the words “the Minister”.

15 Drug Trafficking Offences (Jersey) Law 1988 – amended

In Article 1(1) of the Drug Trafficking Offences (Jersey) Law 1988^[16] after the definition “items subject to legal professional privilege” there shall be inserted the following definition –

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

16 Emergency Powers and Planning (Jersey) Law 1990– amended

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Emergency Powers and Planning (Jersey) Law 1990^[17]
- (2) In Article 1(1) for subparagraph (b) there shall be substituted the following subparagraph –
 - (b) the Chief Minister, the Minister for Home Affairs, the Minister for Economic Development, the Minister for Transport and Technical Services and the Minister for Health and Social Services;”.
- (3) In Article 4 for the words “Committee of the States” there shall be substituted the word “Minister”.

17 Criminal Justice (Young Offenders) (Jersey) Law 1994 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Criminal Justice (Young Offenders) (Jersey) Law 1994.^[18]
- (2) In Article 1 –
 - (a) the definition “the Committee” shall be deleted;
 - (b) after the definition “Magistrate”, the following definition shall be inserted –

“‘Minister’ means the Minister for Education, Sport and Culture;”.
- (3) For Article 15A there shall be substituted the following Article –

“15A Provision of remand centres

- (1) The Minister shall provide or arrange for the provision of remand centres.
- (2) The Minister may make arrangements with other bodies or persons for the provision of remand centres if the Minister is satisfied that –

- (a) the premises are in all respects suitable for the purposes of a remand centre; and
 - (b) the person who will ordinarily have charge of or control over those premises is a fit and proper person to do so.
- (3) The Minister may by Order make provision for –
- (a) the inspection, regulation and management of remand centres and for the classification, treatment, employment, discipline and control of persons required to be detained in the centres; and
 - (b) the visiting of such persons by persons appointed in accordance with the Order.”.
- (4) For Article 18(1A) there shall be substituted the following paragraph –
- “(1A) In relation to a person –
- (a) for whom the Minister for Health and Social Services has parental responsibility; or
 - (b) whom that Minister is looking after,
- (within the meaning of the Children (Jersey) Law 2002), the reference in paragraph (1) to a person who is a parent or guardian of that person shall be construed as a reference to an officer of an administration of the States for which that Minister is assigned responsibility.”.

18 Termination of Pregnancy (Jersey) Law 1997 – amended

In Article 10A(1) and (2) of the Termination of Pregnancy (Jersey) Law 1997^[19] for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.

19 Radio Equipment (Jersey) Law 1997 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Radio Equipment (Jersey) Law 1997.^[20]
- (2) In Article 1(1) –
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “manufacture” 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 words “the Minister for Economic Development” –
 - (a) Article 2(1), (2)(a), (3), (4), (5) and (6);
 - (b) Article 3;
 - (c) Article 4(1), (3), (4) and (5);
 - (d) Article 6(2);
 - (e) Article 7(2), (6) and (10);
 - (f) Article 8(1), (2)(a), (3), (4) and (5).
- (4) In Article 2(1) for the words “it may” there shall be substituted the words “the Minister may”.
- (5) In the following provisions for the words “as it thinks fit” in each place where they appear there shall be substituted the words “as the Minister thinks fit” –
 - (a) Article 4(3);
 - (b) Article 7(10);

(c) Article 8(4).

(6) In Article 8(3) for the words “to it” there shall be substituted the words “to the Minister”.

20 Financial Services (Jersey) Law 1998 – amended

In Article 3A of the Financial Services (Jersey) Law 1998^[21] for the word “Committee” there shall be substituted the word “Minister”.

21 Chemical Weapons Act 1996 (Jersey) Order 1998 – construed

In the Chemical Weapons Act 1996 (Jersey) Order 1998^[22] a reference to the Harbours and Airport Committee shall be construed as a reference to the Minister for Home Affairs.

22 Marriage and Civil Status (Jersey) Law 2001 – amended

In paragraph 1(c) of Schedule 2 to the Marriage and Civil Status (Jersey) Law 2001^[23] for the words “Health and Social Services Committee” there shall be substituted the words “Minister for Health and Social Services”.

23 Jersey Legal Information Board (Incorporation) Law 2004 – amended

In Articles 3(1) and 5(2) and (4) of the Jersey Legal Information Board (Incorporation) Law 2004,^[24] for the words “Finance and Economics Committee”, in each place where they appear, there shall be substituted the words “Minister for Treasury and Resources”.

24 Postal Services (Jersey) Law 2004 – amended

In Schedule 2 to the Postal Services (Jersey) Law 2004^[25] –

(a) for paragraphs 5, 6 and 7 there shall be substituted the following paragraphs –

“5 Proceedings

Any proceedings by or against the Minister for Economic Development in respect of that Minister’s functions under the Post Office (Jersey) Law 1969 and which have not been concluded when that Law is repealed may be continued by or against the company.

6 References to postal services

- (1) A reference in any enactment, agreement, or other document, in force immediately before the day when this paragraph comes into force, to a postal service provided by the Committee for Postal Administration or by the Minister for Economic Development shall, on and from that day, become –
 - (a) a reference to the equivalent postal service, whether provided by the company or not; or
 - (b) such other reference as the States may prescribe instead by Regulations.
- (2) This paragraph is subject to any express provision, or implication, to the contrary in that or any other enactment, agreement or other document.

7 Stamps

- (1) A postage stamp issued by the Committee for Postal Administration or the Minister for Economic Development, and still valid immediately before the liability of that Minister in respect of the stamp is transferred to the company, shall be taken to have been issued by the company at the moment of the transfer.
 - (2) If a postage stamp is taken because of sub-paragraph (1) to have been issued by the company, but is invalidated by the company before the anniversary of the transfer, the company shall exchange the stamp for another stamp of equivalent face value if the stamp is surrendered to the company within 6 months after the invalidation.”;
- (b) for paragraph 10(1) there shall be substituted the following sub-paragraph –
- “(1) The States may, by Regulations, make provision of a saving or transitional nature consequent on the enactment of this Law, and (without affecting the generality of the preceding words) on the taking up of functions of (or of services provided by) the Minister for Economic Development under the Post Office (Jersey) Law 1969 by the company, the Authority, a Minister or any administration of the States.”.

25 Public Employees (Retirement) (Validation and Amendment) (Jersey) Law 2005 – amended

In Article 6(4) of the Public Employees (Retirement) (Validation and Amendment) (Jersey) Law 2005^[26] for the words “Policy and Resources Committee” there shall be substituted the words “Chief Minister”.

26 Competition (Jersey) Law 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Competition (Jersey) Law 2005.^[27]
- (2) In Article 1–
 - (a) in the definition “commercial entity” for the words “Committee of the States” there shall be substituted the word “Minister”;
 - (b) the definition “Committee” shall be deleted;
 - (c) before the definition “officer” there shall be inserted the following definition –

“‘Minister’ means the Minister for Economic Development;”;
 - (d) in the definition “prescribed” for the word “Committee” there shall be substituted the word “Minister”;
 - (e) in paragraph (b) of the definition “States Authority” for the words “Committee of the States” there shall be substituted the word “Minister”.
- (3) For Article 4 there shall be substituted the following Article –

“4 Application to the States and other persons

This Law applies to the States, a Minister, a body created by Act of the States and to any States Authority in so far as the States, Minister, body or States Authority is carrying on a business, but it does not apply to the States or such a Minister, body or States Authority when acting in any other capacity.”.

- (4) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 10(1), (3) and (4);

- (b) Article 11(1), (3)(e) and (6);
 - (c) Article 13;
 - (d) Article 19;
 - (e) Article 20(3) and (4);
 - (f) Article 24;
 - (g) Article 26(2);
 - (h) Article 39(3);
 - (i) Article 43(6);
 - (j) Article 57(1), (2), (3), (4) and (5).
- (5) In Article 10(2) for the words “When advising the Committee, the Authority shall, in particular, advise it” there shall be substituted the words “When advising the Minister, the Authority shall, in particular, advise him or her”.
- (6) For Article 12 there shall be substituted the following Article –

“12 Exemption by Minister on grounds of public policy (Part 2)

- (1) The Minister may, after consulting the Authority, exempt an arrangement from Article 8 (1).
 - (2) The Minister shall not do so unless satisfied that there are exceptional and compelling reasons of public policy that make it desirable to do so.
 - (3) When, in accordance with paragraph (1), the Minister consults the Authority on a proposed exemption –
 - (a) the Authority must publish the advice it gives to the Minister; and
 - (b) the Minister must publish his or her reasons for granting or refusing to grant the exemption, as the case may be.”.
- (7) For Article 18 there shall be substituted the following Article –

“18 Exemption by Minister on grounds of public policy (Part 3)

- (1) The Minister may, after consulting the Authority, exempt an undertaking or undertakings from Article 16(1).
 - (2) The Minister shall not do so unless satisfied that there are exceptional and compelling reasons of public policy that make it desirable to do so.
 - (3) When, in accordance with paragraph (1), the Minister consults the Authority on a proposed exemption –
 - (a) the Authority must publish the advice it gives to the Minister; and
 - (b) the Minister must publish his or her reasons for granting or refusing to grant the exemption, as the case may be.”.
- (8) For Article 23 there shall be substituted the following Article –

“23 Exemption by Minister on grounds of public policy (Part 4)

- (1) The Minister may, after consulting the Authority, exempt a merger or acquisition of a type prescribed by an Order made under Article 20(3) from the requirement that it be approved by the Authority before execution.
- (2) The Minister shall not do so unless satisfied that there are exceptional and compelling

reasons of public policy that make it desirable to do so.

- (3) When, in accordance with paragraph (1), the Minister consults the Authority on a proposed exemption –
 - (a) the Authority must publish the advice it gives to the Minister; and
 - (b) the Minister must publish his or her reasons for granting or refusing to grant the exemption, as the case may be.”.
- (9) For Article 61 there shall be substituted the following Article –

“61 Orders

- (1) The Minister may make Orders to carry this Law into effect and, in particular, to prescribe any matter that shall or may be prescribed under this Law.
- (2) If the Minister considers that an Order should be made he or she may direct the Authority to make recommendations in respect of the proposed Order to the Minister.”.

27 Regulation of Investigatory Powers (Jersey) Law 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Regulation of Investigatory Powers (Jersey) Law 2005.^[28]
- (2) In Article 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “legal proceedings” there shall be inserted the following definition –

“Minister” means the Minister for Home Affairs;”;
 - (c) in the definition “prescribed” for the word “Committee” there shall be substituted the word “Minister”.
- (3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 5(4)(c);
 - (b) Article 9(2);
 - (c) Article 16(1), (3), (6)(b) and (c), (8), (9) and (10);
 - (d) Article 17(1), (2) and (3);
 - (e) Article 27(9);
 - (f) Article 35(6);
 - (g) Article 40(8);
 - (h) Article 41(4);
 - (i) Article 46(3)(c);
 - (j) Article 47(2);
 - (k) Article 48(8);
 - (l) Article 51(1), (3), (4), (5) and (6);
 - (m) Article 53(2);
 - (n) Article 54(b);
 - (o) Article 55;
 - (p) paragraph 5(2)(c) of Schedule 4, in the matter to be inserted as Article 101(4) of the Police Procedures and Criminal Evidence (Jersey) Law 2003.

- (4) In Article 16(2) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (5) In the following provisions, for the word “it”, in each place where it appears, there shall be substituted the words “the Minister” –
 - (a) Article 9(2);
 - (b) Article 16(9)(a) and (10);
 - (c) Article 51(3) and (4);
 - (d) Article 53(2)(b);
 - (e) paragraph 3(1) of Schedule 3;
 - (f) paragraph 5(2)(c) of Schedule 4, in the matter to be inserted as Article 101(4)(b) in the Police Procedures and Criminal Evidence (Jersey) Law 2003.
- (6) In the following provisions, for the words “Committee of the States”, in each place where they appear, there shall be substituted the word “Minister” –
 - (a) Article 9(5)(a);
 - (b) Article 21(3)(b);
 - (c) Article 23(2)(b);
 - (d) Article 26(2)(f);
 - (e) Article 34(3)(f);
 - (f) Article 35(3)(f);
 - (g) Article 44(1)(a);
 - (h) Article 49(7)(a).
- (7) In Articles 43(4) and 45(6) for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”.
- (8) In Article 43(5) for the words “The Committee, after consultation with the Finance and Economics Committee” there shall be substituted the words “The Minister, after consultation with the Minister for Treasury and Resources”.
- (9) In Article 54(b) for the word “its” there shall be substituted the words “his or her”.
- (10) In Schedule 3 –
 - (a) in paragraph 2 for the words “Finance and Economics Committee determine” there shall be substituted the words “Minister for Treasury and Resources determines”;
 - (b) in paragraph 3(1) for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”.

28 Planning and Building (Amendment) (Jersey) Law 2005 – amended

In Article 4 of the Planning and Building (Amendment) (Jersey) Law 2005,^[29] for Article 106(1) and (2) (as to be substituted in the Planning and Building (Jersey) Law 2002) there shall be substituted the following paragraphs –

- “(1) In this Part “persons interested in the appeal”, in respect of an appeal under this Part, means –
 - (a) the Minister;
 - (b) the appellant; and
 - (c) any other person who made a submission to the Minister in respect of the matter the subject of the appeal prior to the Minister’s making his or her decision in respect of that matter.

- (2) For the purpose of paragraph (1)(c) a person who has made a submission to the Minister includes any highway authority, any Minister, or a body or person created by statute that has commented on an application as a result of the Minister’s compliance with Article 14, 15, 16 or 17.”.

29 Planning and Building (Amendment No. 2) (Jersey) Law 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Planning and Building (Amendment No. 2) (Jersey) Law 2005.^[30]
- (2) In Article 2, in Article 109(1) and (2)(a), (b), (c), (d), (e), (f), (g), (h) and (i) (as to be substituted in the Planning and Building (Jersey) Law 2002), for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister”.
- (3) In Article 3(1), for Article 114(1) and (2), as to be substituted in the Planning and Building (Jersey) Law 2002, there shall be substituted the following paragraphs –
 - “(1) This Article applies to a decision by the Minister to grant planning permission on an application made to the Minister in accordance with Article 9(1) if a submission was made to the Minister in respect of the application prior to the Minister’s making the decision by a person (other than the applicant) who –
 - (a) has an interest in land; or
 - (b) is resident on land,any part of which is within 50 metres of any part of the site to which the planning permission relates.
 - (2) For the purposes of paragraph (1), a person who has made a submission to the Minister includes a body or person created by statute (other than a Minister) that has commented on the application as a result of the Minister’s compliance with Article 17”.
- (4) In Article 4(1), in Article 117(3)(b), as to be substituted in the Planning and Building (Jersey) Law 2002, for the word “Committee” there shall be substituted the word “Minister”.
- (5) In Article 4(2), for Article 117(7), as to be substituted in the Planning and Building (Jersey) Law 2002, there shall be substituted the following paragraph –
 - “(7) If the Royal Court determines, in the case of an entry to a building and the undertaking of work to which paragraph (2) applies, that all or any of the actions taken by the Minister were unreasonable having regard to all the circumstances of the case, the Minister shall not be entitled to recover his or her costs in accordance with Article 71(4) and Article 72 shall not apply in this case.”.

30 Jersey Overseas Aid Commission (Jersey) Law 2005 – amended

In clause 1.1 of Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005,^[31] for the definition “overseeing authority” there shall be substituted the following definition –

“‘overseeing authority’ means the Minister for Treasury and Resources or another person, or a body, designated from time to time by the States.”.

31 Amendments to subordinate enactments

The Schedule shall have effect to amend subordinate enactments.

32 Citation and commencement

- (1) These Regulations may be cited as the States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005.
- (2) These Regulations shall come into force on the date on which Article 42(3) of the States of Jersey Law 2005 comes into force.

SCHEDULE

(Regulation 31)

SUBORDINATE ENACTMENTS AMENDED

1 **Prison (Jersey) Rules 1957– amended**

In Rule 78(1) of the Prison (Jersey) Rules 1957^[32] for the words “Committee either” there shall be substituted the words “Minister either”.

2 **Motor Vehicles (International Circulation) (Jersey) Regulations 1958– amended**

In Regulation 1(1) of the Motor Vehicles (International Circulation) (Jersey) Regulations 1958^[33] for the words “the Committee” there shall be substituted the words “the Minister”.

3 **Road Racing (General Provisions) (Jersey) Order 1959– amended**

In Article 5 of the Road Racing (General Provisions) (Jersey) Order 1959^[34] for the words “Environment and Public Services Committee” there shall be substituted the words “Minister for Transport and Technical Services”.

4 **Road Traffic (Prohibition of Waiting) (Clearways) (Jersey) Order 1963– amended**

In Article 1 of the Road Traffic (Prohibition of Waiting) (Clearways) (Jersey) Order 1963^[35] in the definition “main carriageway”, for the word “Committee” there shall be substituted the words “Minister for Transport and Technical Services”.

5 **Food Hygiene (General Provisions) (Jersey) Order 1967– amended**

In Article 1(1) of the Food Hygiene (General Provisions) (Jersey) Order 1967^[36] for the definition “market” there shall be substituted the following definition –

“‘market’ means a public market under the administration of the Minister for Transport and Technical Services;”.

6 **Boats and Surf-Riding (Control) (Jersey) Regulations 1969 – amended**

In Regulations 1, 4, 7 and 31(1) of the Boats and Surf-Riding (Control) (Jersey) Regulations 1969^[37] before the definition “registered” in each case there shall be inserted the following definition –

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

7 **Ancillary Dental Workers (Jersey) Regulations 1974**

In Regulation 12 of the Ancillary Dental Workers (Jersey) Regulations 1974^[38] for the words “Health and Social Services Committee” there shall be substituted the words “Minister for Health and Social Services”.

8 Social Security (Classification) (Jersey) Order 1974

In the Social Security (Classification) (Jersey) Order 1974,^[39] in column B of item 8 of Part 2 of Schedule 1 for the words “under the Committee for Postal Administration” there shall be substituted the words “in the provision of postal services”.

9 Road Traffic (Saint Ouen) (Jersey) Order 1979– amended

In Schedule 2 to the Road Traffic (Saint Ouen) (Jersey) Order 1979^[40] in the entry in the second column, opposite the entry “The approach road to Greve de Lecq Pier” in the first column –

- (a) for the words “Environment and Public Services Committee” there shall be substituted the words “Minister for Transport and Technical Services”; and
- (b) for the words “Harbours and Airport Committee” there shall be substituted the words “Minister for Economic Development”.

10 Road Traffic (Disabled Persons) (Badges for Motor Vehicles) (Jersey) Order 1982 – amended

In Article 1 of the Road Traffic (Disabled Persons) (Badges for Motor Vehicles) (Jersey) Order 1982^[41] in the definition “authority” for the words “Committee” and “its behalf” there shall be substituted the words “Minister for Transport and Technical Services” and “the Minister’s behalf” respectively.

11 Road Traffic (Pedestrian Crossings) (Jersey) Order 1982– amended

In Article 1(1) of the Road Traffic (Pedestrian Crossings) (Jersey) Order 1982^[42] –

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

“Minister” means the Minister for Transport and Technical Services;”.

12 Teachers’ Superannuation (General Provisions) (Jersey) Order 1986 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Teachers’ Superannuation (General Provisions) (Jersey) Order 1986.^[43]
- (2) 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), definition “accepted school”;
 - (b) Article 1(1), definition “Actuary”;
 - (c) Article 1(1), definition “agreed”;
 - (d) Article 1(1), definition “approved”;
 - (e) Article 1(8)(a) and (b) and (9)(b);
 - (f) Article 3(1), (2), (3) and (6);
 - (g) Article 4(1)(b), (2), (3) and (5);
 - (h) Article 5(5);
 - (i) Article 6(2)(a) and (b);
 - (j) Article 7(3);

- (k) Article 10(2);
- (l) Article 11(2)(b);
- (m) Article 13;
- (n) Article 18(1) and (2)(a);
- (o) Article 22(4) and (10);
- (p) Article 23(2) and (3)(b);
- (q) Article 27(5)(i);
- (r) Article 28(1)(a)(i), (4) and (6);
- (s) Article 29(1) and (4);
- (t) Article 31(3);
- (u) Article 35(2);
- (v) Article 39(2) and (3);
- (w) the heading to Article 41;
- (x) Article 41(1) and (3);
- (y) Article 42(2);
- (z) Article 44(c) and (d);
- (aa) Article 46(4);
- (ab) Article 47(1)(b);
- (ac) Article 50;
- (ad) Article 52(5);
- (ae) Article 53(2)(b);
- (af) Article 54(8);
- (ag) Article 63(2)(a);
- (ah) Article 66(b);
- (ai) Article 67(1);
- (aj) Article 68(4), (5) and (6);
- (ak) Article 69;
- (al) Article 70(2)(a) and (b);
- (am) Article 72(1)(d);
- (an) Article 73(4), (6) and (7);
- (ao) Article 76(1), (2) and (4);
- (ap) Article 77;
- (aq) Article 79(1);
- (ar) Article 80;
- (as) Article 84(1) and (5);
- (at) Article 85;
- (au) Article 86(3)(b);
- (av) Article 87;
- (aw) Article 88;
- (ax) Schedule 1, Part 1, paragraph 5(1) and (2);
- (ay) Schedule 1, Part 1, paragraph 6(8);
- (az) Schedule 1, Part 2, paragraph 3(2);

- (ba) Schedule 2, Table 3, including notes 1 and 2;
 - (bb) Schedule 4, paragraph 3;
 - (bc) Schedule 4, paragraph 4(1) and (2);
 - (bd) Schedule 4, paragraph 5(1), (2) and (3);
 - (be) Schedule 4, Table to paragraph 6;
 - (bf) Schedule 5, Part 2, paragraph 1;
 - (bg) Schedule 5, Part 2, paragraph 2;
 - (bh) Schedule 5, Part 2, paragraph 3(i) and (ii).
- (3) In the following provisions, for the word “its”, in each place where it appears, there shall be substituted the word “the Minister’s” –
- (a) Article 3(6);
 - (b) Article 5(5);
 - (c) Article 7(3);
 - (d) Article 88.
- (4) In the following provisions, for the word “it”, in each place where it appears, there shall be substituted the word “the Minister” –
- (a) Article 50;
 - (b) Article 52(5);
 - (c) Article 69;
 - (d) Article 77;
 - (e) Schedule 4, paragraph 3(c);
- (5) In Article 83 –
- (a) in paragraph (1) for the words “Committee such reports and returns, and give it such information relating to such persons, as it may require for the purposes of its functions” there shall be substituted the words “Minister such reports and returns, and give the Minister such information relating to such persons, as the Minister may require for the purposes of his or her functions”;
 - (b) in paragraph (2) for the words “Committee as it may require for the purposes of its functions” there shall be substituted the words “Minister as the Minister may require for the purposes of his or her functions”.
- (6) In Article 84(5), for the words “it thinks fit” there shall be substituted the words “the Minister thinks fit”.

13 Road Traffic (Saint Lawrence) (Jersey) Order 1990– amended

In Article 8(1) of the Road Traffic (Saint Lawrence) (Jersey) Order 1990^[44] in the definition “parking card”, for the word “Committee” there shall be substituted the words “Minister for Transport and Technical Services”.

14 Road Traffic (Saint Helier) (Jersey) Order 1996– amended

In Article 2(1) of the Road Traffic (Saint Helier) (Jersey) Order 1996^[45] –

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

“‘Minister’ means the Minister for Transport and Technical Services;”.

15 Teachers’ Superannuation (Financial Provisions) (Jersey) Order 1996 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Teachers’ Superannuation (Financial Provisions) (Jersey) Order 1996.^[46]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) in the definition “proper advice” for the word “Committee” there shall be substituted the words “Minister for Treasury and Resources”.
- (3) For Article 2 there shall be substituted the following Article –

“2

The Minister for Treasury and Resources shall meet once a year with the Minister for Education, Sport and Culture and one representative of each association of teachers and retired teachers recognized by the latter Minister for the purposes of the Teachers’ Superannuation (Jersey) Law 1979, to discuss the management of the Fund.”.

- (4) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the words “Minister for Treasury and Resources” –
 - (a) Article 3(a) and (b);
 - (b) Article 4(b)(i);
 - (c) Article 5.
- (5) In Article 4(b)(ii) for the words “the Committee” there shall be substituted the words “that Minister.

16 Medicines (Applications for Manufacturer’s and Wholesale Dealer’s Licences) (Jersey) Order 1997

In Article 8 of the Medicines (Applications for Manufacturer’s and Wholesale Dealer’s Licences) (Jersey) Order 1997,^[47] for the word “Committee” in each place where it appears there shall be substituted the word “Minister”.

17 Motor Vehicles (Construction and Use) (Jersey) Order 1998– amended

In Article 108(2)(e) of the Motor Vehicles (Construction and Use) (Jersey) Order 1998^[48] for the words “Public Services Committee” there shall be substituted the words “Minister for Transport and Technical Services”.

18 Road Traffic (Public Parking Places) (Jersey) Order 2004– amended

In Article 1(1) of the Road Traffic (Public Parking Places) (Jersey) Order 2004^[49] –

- (a) the definition “Committee” shall be deleted;
- (b) in the definition of “controlling body” for paragraph (b) there shall be substituted the following paragraph –
 - “(b) the Minister for Education, Sport and Culture in the case of the parking places **STH6** and **STH21**; and”;
- (c) in the following definitions for the word “Committee” in each place where it appears there shall be

substituted the words “Minister for Transport and Technical Services” –

- (i) definition of “controlling body”, paragraph (c),
- (ii) definition of “excess charge notice”,
- (iii) definition of “pay card”,
- (iv) definition of “permit”,
- (v) definition of “season ticket”.

19 Royal Court Rules 2004– amended

In the Royal Court Rules 2004^[50] –

- (a) for Rule 5/9 there shall be substituted the following Rule –

“5/9 Personal service on the States, a Minister or an administration of the States

Personal service of a document on the States, a Minister or an administration of the States may, in cases where provision is not otherwise made by any enactment, be effected by serving it in accordance with Rule 5/7 on the Greffier of the States.”;

- (b) for Rule 15/1 there shall be substituted the following Rule –

“15/1 Application and interpretation

(1) Except where provision is otherwise made, this Part applies to appeals to the Court from an administrative decision of a person, or body, in exercise of a right of appeal conferred by or under any enactment (including an Act of the Parliament of the United Kingdom or instrument thereunder extended by Order in Council to, or otherwise having effect in, Jersey).

(2) In this Part, unless the context otherwise requires –

“appeal” means an appeal to which this Part applies and “appellant” shall be construed accordingly;

“the respondent” means the person, or body, whose decision is appealed from.”;

- (c) for note (1) to Schedule 4 there shall be substituted the following note –

“(1) Insert the name of the person, or body, whose decision is appealed from.”.

20 Community Provisions (Burma/Myanmar Sanctions) (Jersey) Order 2005 – amended

(1) In this Regulation, a reference to a provision is a reference to the provision in the Community Provisions (Burma/Myanmar Sanctions) (Jersey) Order 2005.^[51]

(2) In Article 1(1)–

(a) the definition “Committee” shall be deleted;

(b) in paragraph (b) of the definition “competent authorities” for the word “Committee” there shall be substituted the word “Minister”;

(c) after the definition “funds” there shall be inserted the following definition –

“‘Minister’ means the Chief Minister;”;

(3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –

- (a) Article 5(1);
 - (b) Article 8(1) and (2);
 - (c) Article 10(2);
 - (d) the heading to Article 11;
 - (e) Article 11(1)(b);
 - (f) Article 13(1) and (2);
 - (g) Article 16(2).
- (4) In Article 13(2)(b) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (5) For Article 16(1) there shall be substituted the following paragraph –

“(1) The Minister may, to such extent and subject to such restrictions and conditions as he or she thinks proper, delegate or authorize the delegation of any of his or her functions under this Order to a person, or class or description of person, approved by the Minister.”.

21 Financial Services (General Insurance Mediation Business (Registration and Fees)) (Jersey) Order 2005 – amended

In Article 2(1) of the Financial Services (General Insurance Mediation Business (Registration and Fees)) (Jersey) Order 2005^[52] for the word “Committee” there shall be substituted the word “Minister”.

22 Shipping (Safety Codes) (Jersey) Order 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the Shipping (Safety Codes) (Jersey) Order 2005.^[53]
- (2) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 5(1) and (2);
 - (b) Article 6.
- (3) In Article 5(2) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (4) In Article 8, in the definition “Memorandum of Understanding”, for the word “Committee” there shall be substituted the words “Harbours and Airport Committee”.

23 Community Provisions (Animal Feeding) (Jersey) Regulations 2005 – amended

In Regulation 1 of the Community Provisions (Animal Feeding) (Jersey) Regulations 2005,^[54] in the definition “inspector”, for the words “Environment and Public Services Committee” there shall be substituted the words “Minister for Planning and Environment”.

24 Employment Tribunal (Jersey) Regulations 2005 – amended

- (1) In this paragraph, a reference to a provision is a reference to the provision in the Employment Tribunal (Jersey) Regulations 2005.^[55]
- (2) For Regulation 1 there shall be substituted the following Regulation–

“1 Interpretation

In these Regulations, unless the context otherwise requires –

‘member’ means the Chairman, the Deputy Chairman or any other member of the Tribunal;

‘Minister’ means the Minister for Social Security.’.

- (3) In Regulation 3(2), for the words “Employment and Social Security Committee” there shall be substituted the word “Minister”.
- (4) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 5(1);
 - (b) Article 6(2);
 - (c) Article 10(1) and (2).

25 States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005 – amended

Regulations 3 and 4 of the States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005^[56] shall be deleted.

26 States of Jersey (Amendments and Construction Provisions No. 2) (Jersey) Regulations 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the States of Jersey (Amendments and Construction Provisions No. 2) (Jersey) Regulations 2005.^[57]
- (2) Regulation 2(5) shall be deleted.
- (3) Regulation 7(2)(b) shall be deleted.

27 States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005.^[58]
- (2) Regulation 1(2), (3) and (4) shall be deleted.
- (3) Regulation 11 shall be deleted.
- (4) Regulation 38(15) shall be deleted.
- (5) Regulation 39(20) and (21) shall be deleted.
- (6) In the Schedule, paragraph 18(9) shall be deleted.

28 States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005 – amended

- (1) In this paragraph, a reference to a provision is a reference to the provision in the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005.^[59]
- (2) Regulation 10(6)(b) shall be deleted.
- (3) Regulation 12 shall be deleted.

- (4) Regulation 13(12) shall be deleted.
- (5) Regulations 26(43)(c) and (50) shall be deleted.
- (6) In Schedule 1 –
 - (a) paragraph 3(2) shall be deleted;
 - (b) paragraph 12(5) shall be deleted;
 - (c) paragraph 24 shall be deleted;
 - (d) paragraph 36 shall be deleted.

29 States of Jersey (Amendments and Construction Provisions No. 6) (Jersey) Regulations 2005 – amended

Paragraph 1 of the Schedule to the States of Jersey (Amendments and Construction Provisions No. 6 (Jersey) Regulations 2005^[60] shall be deleted.

30 States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005 – amended

- (1) In this Regulation, a reference to a provision is a reference to the provision in the States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005.^[61]
- (2) The following provisions shall be deleted –
 - (a) Regulation 2;
 - (b) Regulation 12;
 - (c) Regulation 41(d);
 - (d) Schedule 1, item 8;
 - (e) Schedule 2, paragraph 4(2);
 - (f) Schedule 2, paragraph 7(2);
 - (g) Schedule 2, paragraph 9;
 - (h) Schedule 2, paragraph 13;
 - (i) Schedule 2, paragraph 14;
 - (j) Schedule 2, paragraph 16(2);
 - (k) Schedule 2, paragraph 19(2);
 - (l) Schedule 2, paragraph 25(2);
 - (m) Schedule 2, paragraph 27(3);
 - (n) Schedule 2, paragraph 39.

31 States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005 – amended

Regulations 7(4) and 26(a) of the States of Jersey (Amendments and Construction Provisions No. 8 (Jersey) Regulations 2005^[62] shall be deleted.

32 Education (Discretionary Grants) (Jersey) Order 2005 – amended

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Education

(Discretionary Grants) (Jersey) Order 2005.^[63]

- (2) 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)(a) and (2);
 - (b) Article 5(5);
 - (c) Article 9;
 - (d) Article 10(2)(b) and (4);
 - (e) Article 11(1);
 - (f) Article 12(2), (3) and (4);
 - (g) Article 13(1);
 - (h) Article 14(2), (3) and (5);
 - (i) Article 15(2), (5), (6), (7), (10) and (11);
 - (j) Article 16;
 - (k) Schedule 1, paragraph 2(4) and (5)(b).
- (3) In Article 6(3) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (4) In Article 12(3) for the words “its option” there shall be substituted the words “the Minister’s option”.
- (5) In Article 15(7)(a) for the words “it thinks fit” there shall be substituted the words “the Minister thinks fit”.
- (6) In Article 15(10) for the words “it has not been provided with such information as it may require” there shall be substituted the words “the Minister has not been provided with such information as he or she may require”.
- (7) In Article 17, for paragraphs (1) and (2) there shall be substituted the following paragraphs –
 - “(1) This Article applies where, under Article 27 of the States of Jersey Law 2005, the Minister delegates any of his or her functions under this Order to an officer.
 - (2) A panel shall be established to hear appeals made under this Article, of which the members shall be –
 - (a) subject to paragraph (3), the Director of Education within the meaning of the Education (Jersey) Law 1999 or an officer in an administration of the States for which the Minister is assigned responsibility who is nominated from time to time by the Director of Education;
 - (b) the Minister or a person who is nominated from time to time by the Minister; and
 - (c) a person, independent of an administration of the States for which the Minister has been assigned responsibility, who is nominated from time to time by the Minister.”.
- (8) For Article 17(10) there shall be substituted the following paragraph –
 - “(10) In this Article, ‘officer’ has the same meaning as in Article 27 of the States of Jersey Law 2005.”.
- (9) In paragraph 2(5)(c) of Schedule 1 for the words “Health and Social Services Committee, made under the Children (Jersey) Law 1969” there shall be substituted the words “Minister for Health and Social Services made under the Children (Jersey) Law 2002”.

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- [1] L.8/2005.
- [2] Chapter 25.200.
- [3] Chapter 27.100.
- [4] Chapter 01.800.
- [5] Chapter 03.630.
- [6] Chapter 02.400.
- [7] Chapter 25.550.
- [8] Chapter 24.750.
- [9] Chapter 02.550.
- [10] Chapter 20.225.
- [11] Chapter 16.650.
- [12] Chapter 20.650.
- [13] Chapter 26.400.
- [14] Chapter 16.850.
- [15] Chapter 16.025.
- [16] Chapter 08.580.
- [17] Chapter 23.100.
- [18] Chapter 08.380.
- [19] Chapter 20.925.
- [20] Chapter 06.216.
- [21] Chapter 13.225.
- [22] Chapter 17.140.
- [23] Chapter 12.600.
- [24] L.17/2004.
- [25] L.26/2004.
- [26] L.4/2005.
- [27] L.6/2005.
- [28] L.17/2005.
- [29] L.18/2005.
- [30] L.25/2005.
- [31] L.24/2005.
- [32] Chapter 23.775.30.
- [33] Chapter 25.400.50.
- [34] Chapter 25.300.32.
- [35] Chapter 25.550.32.
- [36] Chapter 20.225.22.
- [37] Chapter 19.060.30.

- [38] Chapter 20.100.30.
- [39] Chapter 26.900.08.
- [40] Chapter 25.550.60.
- [41] Chapter 25.550.22.
- [42] Chapter 25.550.30.
- [43] Chapter 16.850.60.
- [44] Chapter 25.550.54.
- [45] Chapter 25.550.50.
- [46] Chapter 16.850.30.
- [47] Chapter 20.625.25.
- [48] Chapter 25.550.08.
- [49] Chapter 25.550.36.
- [50] R&O.161/2004.
- [51] R&O.3/2005.
- [52] R&O.4/2005.
- [53] R&O.6/2005.
- [54] R&O.21/2005.
- [55] R&O.20/2005.
- [56] R&O.42/2005.
- [57] R&O.43/2005.
- [58] R&O.44/2005.
- [59] R&O.45/2005.
- [60] R&O.46/2005.
- [61] R&O.47/2005.
- [62] R&O.48/2005.
- [63] R&O.85/2005.