

**STATES OF JERSEY LAW 1966, AS AMENDED:
DELEGATION OF FUNCTIONS - HARBOURS ADMINISTRATION**

**Presented to the States on 27th April 1999
by the Harbours and Airport Committee**



STATES OF JERSEY

STATES GREFFE

140

1999

R.C.18

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Report

On 9th April 1999, the Harbours and Airport Committee made an Act delegating certain of its functions under the Harbours (Jersey) Regulations 1962, as amended.

The terms of the delegation were recorded in an Act of the Committee as follows -

“7. The Committee, with reference to Act No. 8 of 26th March 1998 of the Committee as previously constituted considered a report dated 24th March 1999 from the Harbourmaster regarding the delegation of statutory powers. The Committee agreed, in pursuance of Article 36A of the States of Jersey Law 1966, as amended, to delegate with immediate effect to the Harbourmaster certain functions under the Harbours (Jersey) Regulations 1962, as amended, as follows -

Legislation: Harbours (Jersey) Regulations 1962, as amended, Part I (Powers of the Committee).

Delegate: Harbourmaster.

Function: To restrict access to harbours (Regulation 1), removal of unserviceable vessels and other obstructions (Regulation 2), circulation and parking of vehicles and posting of notices (Regulation 3).

Scope of delegation: Any action taken by the Harbour-master must conform with Merchant Shipping legislation and conventions in force in Jersey and with any codes of practice approved by the Committee.

Legislation: Harbours (Jersey) Regulations 1962, as amended, Part III (Duties of Master and Owner).

Delegate: Harbourmaster.

Function: Action to be taken under Regulation 5 following failure of a master to carry out directions of the Harbourmaster requiring movement of a vessel.

Scope of delegation: To conform with agreed Committee policies and agreed codes of practice.

Legislation: Harbours (Jersey) Regulations 1962, as amended, Part IV (Provisions governing ships bringing petroleum spirit into a harbour) and Part IVA (Provisions governing the conveyance, loading and unloading of explosives).

Delegate: Harbourmaster.

Function: To authorise an officer to discharge the functions of inspection to ascertain whether the requirements of Parts IV (Regulation 21) and IVA (Regulation 23I) of the Regulations are being carried out.

Scope of delegation:	Any professional fees required, or provision of facilities, to be within annual budget or agreed contingency budget.
Legislation:	Harbours (Jersey) Regulations 1962, as amended, Part VI (General).
Delegate:	Harbourmaster.
Function:	Functions under Regulation 26 (Damage by vessels in harbour) with respect to persons answerable for any damage, and persons liable to make good any such damage, including power to detain a vessel and obtain security for the amount of damage done.
Scope of delegation:	Valuation of cost to make good damage to be based on independent professional report.
Legislation:	Harbours (Jersey) Regulations 1962, as amended, Part VI (General).
Delegate:	Harbourmaster.
Function:	Giving permission under Regulation 29 for any of the following - fixing notices; use of vessels as houseboats; use of firearms; public address or performance; soliciting or collecting; engaging in any trade or business activity; lighting fireworks.
Scope of delegation:	Any permission given to fall within scope of any policies or codes of practice approved by the Committee and not to exceed a period of one year.

The Greffier of the States was asked to arrange for this Act to be presented to the States for information in due course.”.