

**STATES OF JERSEY LAW 1966, AS AMENDED:  
DELEGATION OF FUNCTIONS - RESIDENTIAL HOMES**

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**Presented to the States on 4th September 2001  
by the Health and Social Services Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

150

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## Report

On 2nd August 2001, the Health and Social Services Committee made an Act delegating certain of its functions under Article 6(2), (2A) and (3) of the Nursing and Residential Homes (Jersey) Law 1994.

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

“A12. The Committee received a report, dated 23rd July 2001, from the Medical Officer of Health regarding the procedure for varying conditions of registration for Residential Homes.

The Committee was advised that, due to the shortage of registered homes providing specialist care in Jersey, it might be considered appropriate in certain circumstances to vary the conditions of registration for particular individual cases. This would require the person registered in respect of a home to apply to the Committee for approval prior to the admission of the client to allow a temporary variation in the statutory conditions of registration. The Committee noted that the procedure to be followed in such circumstances (detailed in the Appendix to the above report) had been discussed and approved by a Crown Advocate.

The Committee, accordingly, agreed to support the recommendation and, in pursuance of Article 36A of the States of Jersey Law 1966, as amended, approved the delegation of functions as detailed below -

**Legislation:** Nursing and Residential Homes (Jersey) Law 1994, Article 6(2), (2A) and (3)

**Delegate:** Medical Officer of Health

**Functions delegated:** The delegate may -

- (a) apply such conditions as he may consider appropriate for the purposes specified in Article 6(2) and 6(2A);
- (b) vary or remove any conditions for the time being in force in respect of a home by virtue of Article 6 of the Law; or
- (c) impose an additional condition,

either on the application of a person registered in respect of it or without such an application.

It was noted that this delegation modified the scope of the Committee's previous delegation of functions under the above Law, dated 7th May 1997 (R.C.1/98).

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