

STATES OF JERSEY



DRAFT ROAD WORKS AND EVENTS (CONSEQUENTIAL PROVISIONS) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 26th September 2017
by the Minister for Infrastructure**

STATES GREFFE



Jersey

DRAFT ROAD WORKS AND EVENTS (CONSEQUENTIAL PROVISIONS) (JERSEY) REGULATIONS 201-

REPORT

The Road Works and Events (Jersey) Law 2016 (“the Law”), sponsored by the Department for Infrastructure (“DfI”) was adopted by the States on 20th January 2016, sanctioned by Order of Her Majesty in Council on 4th May 2016, and registered by the Royal Court on 13th May 2016. The Law has been published as [L.11/2016](#). The Law creates for the first time a comprehensive framework for the control and management of road works and road-based events on the Island’s public roads.

The reasons for the implementation of the new Law are set out in detail in the report within [P.152/2015](#). The initial commencement Act (Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 2016 ([R&O.121/2016](#))) commenced provisions relating to the holding of events in or near roads on 1st January 2017. A second Act will commence remaining provisions on 1st January 2018, relating to the regulation of road works on public roads, and the draft Act (*see* P.85/2017) is lodged alongside these draft Regulations and the Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201- (*see* P.86/2017).

A consequence of the Law is that it is necessary to make a minor amendment to Article 48(2) of the [Air and Sea Ports \(Incorporation\) \(Jersey\) Law 2015](#). The reference in that Article to the Public Utilities Road Works (Jersey) Law 1963 needs to be replaced by a reference to the Road Works and Events (Jersey) Law 2016.

Article 48(2) makes provision for the licensed port operator to install, maintain, remove or operate apparatus (“apparatus” means cables, conduits, ducts, drains or pipes for supplying, delivering, disposing of or conveying electricity, gas, telecommunications, water or sewage, etc.) in public roads. The amendment does not change this right, but makes any such action arising from it by the licensed port operator subject to the requirements of the new Road Works and Events (Jersey) Law 2016. This will mean, for example, that a permit is required from the relevant highway authority to carry out any associated road works; also, there are duties in relation to the reinstatement of the road and the keeping of records regarding the location and nature of the apparatus so placed, etc.

Collective Responsibility under Standing Order 21(3A)

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Ministers for Infrastructure, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers ([R.11/2015](#) refers).

Financial and manpower implications

There are no additional financial or manpower implications for the States arising from the adoption of these draft Regulations.

Explanatory Note

Regulation 1 amends the Air and Sea Ports (Incorporation) (Jersey) Law 2015 by replacing a reference in it to the “Public Utilities Road Works (Jersey) Law 1963” (“1963 Law”) in with a reference to the “Road Works and Events (Jersey) Law 2016” (“2016 Law”). The 1963 Law was repealed by the 2016 Law.

Regulation 2 set out the title of these Regulations and provides for them to come into force on 1st January 2018, the same date that the 2016 Law is intended to come into force by an Appointed Day Act.



Jersey

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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 69(4) of the Road Works and Events (Jersey) Law 2016¹, have made the following Regulations –

1 Air and Sea Ports (Incorporation) (Jersey) Law 2015 amended

In Article 48(2) of the Air and Sea Ports (Incorporation) (Jersey) Law 2015² for the words “Public Utilities Road Works (Jersey) Law 1963³” there shall be substituted the words “Road Works and Events (Jersey) Law 2016⁴”.

2 Citation and commencement

These Regulations may be cited as the Road Works and Events (Consequential Provisions) (Jersey) Regulations 201- and shall come into force on 1st January 2018.

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- ¹ *L.11/2016*
 - ² *chapter 03.050*
 - ³ *chapter 25.500*
 - ⁴ *L.11/2016*