

STATES OF JERSEY

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DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 10)(JERSEY) REGULATIONS 200

**Lodged au Greffe on 22nd March 2005
by the Policy and Resources Committee**

STATES GREFFE



Jersey

**DRAFT STATES OF JERSEY (AMENDMENTS AND
CONSTRUCTION PROVISIONS No. 10)(JERSEY)
REGULATIONS 200**

REPORT

The report relating to this projet is published within P.55/2005.

Explanatory Note

These Regulations amend enactments which confer functions upon the Harbours and Airport Committee. The amendments are consequential upon the transfer of functions from that Committee to the Minister for Economic Development. The transfer, and these amendments, will take effect when the first Council of Ministers is appointed to office.

The amendments do no more than substitute a reference to the Minister for Economic Development for a reference to the Harbours and Airport Committee. Where an enactment for which the Harbours and Airport Committee has responsibility includes a reference to another Committee, that reference is simply substituted by a reference to the Minister taking that Committee's responsibilities.



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DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 10)(JERSEY) REGULATIONS 200

Arrangement

Regulation

<u>1</u>	<u>Harbour and Light Dues (Jersey) Law 1947</u>
<u>2</u>	<u>Aerodromes (Administration) (Jersey) Law 1952</u>
<u>3</u>	<u>Civil Aviation (Supplementary Provisions) (Jersey) Law 1955</u>
<u>4</u>	<u>Airport Dues (Jersey) Law 1956</u>
<u>5</u>	<u>Harbours (Administration) (Jersey) Law 1961</u>
<u>6</u>	<u>Pilotage (Jersey) Law 1988</u>
<u>7</u>	<u>Shipping (Jersey) Law 2002</u>
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CONSTRUCTION OF CERTAIN ORDERS IN COUNCIL

SCHEDULE 2

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Jersey

DRAFT STATES OF JERSEY (AMENDMENTS AND CONSTRUCTION PROVISIONS No. 10)(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 Harbour and Light Dues (Jersey) Law 1947

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Harbour and Light Dues (Jersey) Law 1947.^[2]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “light dues” there shall be inserted the following definition –
| “ ‘Minister’ means the Minister for Economic Development;”.
- (3) In Article 8(1), in paragraph (ii) to the proviso, for the words “it thinks fit” there shall be substituted the words “he or she thinks fit”.
- (4) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 1, the definition “light dues”;
 - (b) Article 6;
 - (c) Article 7(2);
 - (d) Article 8.

2 Aerodromes (Administration) (Jersey) Law 1952

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Aerodromes (Administration) (Jersey) Law 1952.^[3]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “Harbour Master” there shall be inserted the following definition –
| “ ‘Minister’ means the Minister for Economic Development;”.
- (3) In Article 2(1) for the words “Harbours and Airport Committee” there shall be substituted the word

“Minister”.

(4) In Article 2(1) and (2) for the word “Committee” there shall be substituted the word “Minister”.

(5) In Article 7 for the word “Committee” there shall be substituted the word “Minister”.

3 Civil Aviation (Supplementary Provisions) (Jersey) Law 1955

(1) In this Regulation, any reference to a provision is a reference to the provision in the Civil Aviation (Supplementary Provisions) (Jersey) Law 1955^[4]

(2) In Article 1(1) the definition “Committee” shall be deleted.

(3) In Article 3(3) for the words “it may prohibit” there shall be substituted the words “he or she may prohibit”.

(4) In Article 4(3) for the words “its powers” there shall be substituted the words “the Minister’s powers”.

(5) 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 3(1), (2) and (3);

(c) Article 4(1), (2), (3), (4) and (6);

(d) Article 6;

(e) Schedule, paragraphs 1, 2, 3, 4, 5 and 9.

4 Airport Dues (Jersey) Law 1956

(1) In this Regulation, any reference to a provision is a reference to the provision in the Airport Dues (Jersey) Law 1956.^[5]

(2) In Article 1–

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

(b) for the full stop at the end of the definition “military aircraft” there shall be substituted a colon;

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

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

(3) In Article 5(2) for the words “it is of opinion that it should” there shall be substituted the words “the Minister is of the opinion that he or she should”.

(4) In Article 6(3) for the words “it thinks fit” there shall be substituted the words “the Minister thinks fit”.

(5) 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 “the Airport Director”;

(b) Article 3(1);

(c) Article 5(2);

(d) Article 6(3).

5 Harbours (Administration) (Jersey) Law 1961

(1) In this Regulation, any reference to a provision is a reference to the provision in the Harbours

(Administration) (Jersey) Law 1961.^[6]

- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “Harbour Master” 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 word “Minister” –
 - (a) Article 2(1) and (2);
 - (b) Article 4(2) and (3).

6 Pilotage (Jersey) Law 1988

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Pilotage (Jersey) Law 1988.^[7]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “Harbour Master” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Economic Development;”.
- (3) In Article 15(2) for the words “Committee should it so think fit” there shall be substituted the words “Minister should he or she so think fit”.
- (4) 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)(d);
 - (b) Article 3(1);
 - (c) Article 7;
 - (d) Article 15(1).

7 Shipping (Jersey) Law 2002

- (1) In this Regulation, any reference to a provision is a reference to the provision in the Shipping (Jersey) Law 2002.^[8]
- (2) In Article 1–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “master” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Economic Development;”.
- (3) In Article 23 –
 - (a) for sub-paragraph (1)(a) there shall be substituted the following–

“(a) the Minister or an officer, authorized by the Minister, of an administration of the States for which the Minister is assigned responsibility;”;
 - (b) in paragraph (1) for the words “Committee in the performance of its functions” there shall be substituted the words “the Minister in the performance of his or her functions”;
 - (c) for paragraph (2) there shall be substituted the following paragraph–

“(2) The persons referred to in paragraph (1) are –

- (a) the Minister for Treasury and Resources;
 - (b) the Minister for Home Affairs;
 - (c) the Jersey Financial Services Commission or an officer or agent of the Commission who is authorized by it;
 - (d) a person who is –
 - (i) an officer of an administration of the States Department for which one of the Ministers mentioned in this paragraph is designated responsibility and who is authorized by that Minister, or
 - (ii) an agent of one of the Ministers mentioned in this paragraph and who is authorized by that Minister.”.
- (4) In Article 29(1) for the words “its power” there shall be substituted the words “his or her power”.
- (5) In Article 39(1) for the words “appointed by it” there shall be substituted the words “appointed by the Minister”.
- (6) In Article 40(3) for the words “its decision” there shall be substituted the words “the Minister’s decision”.
- (7) In Article 40(4) for the words “it shall state” there shall be substituted the words “the Minister shall state”.
- (8) In Article 41(1) for the words “appointed by it” there shall be substituted the words “appointed by the Minister”.
- (9) In Article 53(1) for the words “appear to them” there shall be substituted the words “appear to the Minister”.
- (10) In Articles 64(2) and 67(1) for the words “it may” there shall be substituted the words “the Minister may”.
- (11) In Article 64(4) and (5) for the words “it shall” there shall be substituted the words “the Minister shall”.
- (12) In Article 66(4) for the words “the Committee itself, acting through persons specifically authorized by it, may for that purpose take any such action as it has power” there shall be substituted the words “the Minister, acting through persons specifically authorized by him or her, may for that purpose take any such action as the Minister has power”.
- (13) In Article 85(1) for the words “authorized by it” (twice occurring) there shall be substituted the words “authorized by the Minister”.
- (14) In Article 86(1) for the words “it directs” there shall be substituted the words “the Minister directs”.
- (15) In Article 101 for the words “employed by or acting on behalf of the Committee” and “it or he” there shall be substituted the words “in an administration of the States for which the Minister is assigned responsibility” and “he or she” respectively.
- (16) In Article 146–
- (a) in paragraphs (2) and (3) for the words “property of the Committee” there shall be substituted the words “property of the States of Jersey”;
 - (b) in paragraph (3) for the words “the Committee may” there shall be substituted the words “the Minister may”;
 - (c) in paragraphs (3) and (4) for the words “on behalf of the Committee” there shall be substituted the words “on behalf of the States of Jersey”;
 - (d) in paragraph (4) for the words “the Committee either” there shall be substituted the words “the Minister either”;
 - (e) in paragraph (5) for the words “Committee” and “it shall pay” there shall be substituted the words “States” and “the Minister shall pay” respectively.

- (17) In Article 154(1) for the words “report to it” there shall be substituted the words “report to the Minister”.
- (18) In Article 166(5) for the words “submitted to it” there shall be substituted the words “submitted to the Minister”.
- (19) In Article 167(9) for the words “if it is of the opinion” there shall be substituted the words “if he or she is of the opinion”.
- (20) In Article 169(2) for the words “that it considers” there shall be substituted the words “that the Minister considers”.
- (21) In Article 185(2) for the words “any of its officers” there shall be substituted the words “any officer in an administration of the States for which the Minister is assigned responsibility”.
- (22) In Article 186(5) for the words “it may agree” there shall be substituted the words “the Minister may agree”.
- (23) In Article 187(1) for the words “the Committee may, upon any conditions it thinks fit” and “it is satisfied” there shall be substituted the words “the Minister may, on any conditions he or she thinks fit” and “the Minister is satisfied” respectively.
- (24) In Article 189(1) for the words “on them” there shall be substituted the words “on the Minister”.
- (25) In Article 191(1) for the words “it may require” and “produce to it” there shall be substituted the words “the Minister may require” and “produce to the Minister” respectively.
- (26) In Article 191(2) for the words “it may require” there shall be substituted the words “the Minister may require”.
- (27) In Article 192(1)(a) for the words “as it thinks fit” there shall be substituted the words “as the Minister thinks fit”.
- (28) In Schedule 3 in paragraph 4(1) for the words “it considers” there shall be substituted the words “he or she considers”.
- (29) In Schedule 5, in paragraph 5(2) of Article 9 in Part 2, for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”.
- (30) In Schedule 6, in paragraphs 7(2) and 9(1) in Part 2, for the words “Finance and Economics Committee” there shall be substituted the words “Minister for Treasury and Resources”.
- (31) In Schedule 6, in paragraph 9(1) in Part 2, for the words “The Committee” there shall be substituted the words “The Minister”.
- (32) In Schedule 7, in paragraph 4(2) in Part 2, for the words “the Committee” and “as it thinks fit” there shall be substituted the words “the Minister” and “as the Minister thinks fit” respectively.
- (33) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Article 9(1);
 - (b) Article 11(2)(b)(iii) and (3);
 - (c) Article 13(2)(b)(i);
 - (d) Article 15(1), (4) and (6);
 - (e) Article 18(2);
 - (f) Article 20(8) and (9);
 - (g) Article 21(2);
 - (h) Article 29(1) and (2);
 - (i) Article 35(1);
 - (j) Article 36(2);

- (k) Article 39(1), (4) and (5);
- (l) Article 40(2), (3), (4) and (6);
- (m) Article 41(1), (3) and (4);
- (n) Article 42(1);
- (o) Article 43(1);
- (p) Article 45;
- (q) Article 47(1) and (2);
- (r) Article 49(6) and (7);
- (s) Article 52(2);
- (t) Article 53(1);
- (u) Article 54(1) and (4);
- (v) Article 60(2);
- (w) Article 64(2), (4) and (5);
- (x) Article 65(1);
- (y) Article 66(1), (2) and (4);
- (z) Article 67(1) and (2);
- (aa) Article 68(2);
- (ab) Article 72(2);
- (ac) Article 75(1) and (2);
- (ad) Article 76(1);
- (ae) Article 77(1);
- (af) Article 80(4);
- (ag) Article 81(2);
- (ah) Article 83(1) and (2);
- (ai) Article 84;
- (aj) Article 85(1) and (2);
- (ak) Article 86(1);
- (al) Article 87(3);
- (am) Article 88(2);
- (an) Article 89(1);
- (ao) Article 92(1) and (2);
- (ap) Article 94(1) and (2);
- (aq) Article 95(1), (2) and (3);
- (ar) Article 98(2);
- (as) Article 101 and the heading to the Article;
- (at) Article 105(1);
- (au) Article 106;
- (av) Article 109(1) and (3);
- (aw) Article 111(5)(c) and (6);
- (ax) Article 113(1);
- (ay) Article 114 and the heading to the Article;
- (az) Article 117(1)(b);

- (ba) Article 125(1) and (6) and the heading to the Article;
- (bb) Article 128(1), definition of “Receiver”;
- (bc) Article 130(4);
- (bd) Article 145(5);
- (be) Article 146(2), (3), (4) and (5);
- (bf) Article 151(1) and (4);
- (bg) Article 154(1), (2), (5), (6) and (7);
- (bh) Article 156(1);
- (bi) Article 157(2)(b), (3) and (5);
- (bj) Article 163(3);
- (bk) Article 166(1), (4), (5), (6), (7) and (8);
- (bl) Article 167(1), (8), (9) and (10);
- (bm) Article 168;
- (bn) Article 169(1), (2) and (4);
- (bo) Article 170(1), (2), (3) and (5);
- (bp) Article 171(2);
- (bq) Article 172;
- (br) Article 181(3) and (4);
- (bs) Article 184(4);
- (bt) Article 185(1) and (2) and the heading to the Article;
- (bu) Article 186(1), (2), (3), (4) and (5) and the heading to the Article;
- (bv) Article 188(1), (2), (3) and (4);
- (bw) Article 189(1) and (2);
- (bx) Article 190(2);
- (by) Article 191(1) and (2) and the heading to the Article;
- (bz) Article 192(1), (2) and (4);
- (ca) Article 193(1);
- (cb) Article 194;
- (cc) Article 196(1);
- (cd) Article 197(1);
- (ce) Article 198(2);
- (cf) Article 199(1);
- (cg) Schedule 2, paragraphs 1(5), 3(1), (2) and (4), 7(3), (4) and (5), 13(2), 16(1) and (3), 19(1) and (2), 20(2), (3), (4) and (5), 21(1), 23(1), 25(1), (3) and (6) and 27;
- (ch) Schedule 3, paragraph 4(1);
- (ci) Schedule 5, paragraphs 4 and 11 in Part 2;
- (cj) Schedule 6, paragraphs 5(2) and 9(1) in Part 2;
- (ck) Schedule 9, paragraphs 1(1)(b) and 3;
- (cl) Schedule 10, paragraphs 3 and 4(1) and (2).

8 Construction of certain Orders in Council

In the Acts of the United Kingdom extended to Jersey by the Orders referred to in Schedule 1, insofar as those Acts extend to Jersey –

- (a) a reference to the Defence Committee shall be construed as a reference to the Minister for Home Affairs;
- (b) a reference to the Harbours and Airport Committee shall be construed as a reference to the Minister for Economic Development; and
- (c) a reference to the Finance and Economics Committee shall be construed as a reference to the Minister for Treasury and Resources.

9 Subordinate enactments amended

The enactments referred to in Schedule 2 shall be amended as set out in the Schedule.

10 Citation and commencement

These Regulations may be cited as the States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 200- and shall come into force on the date on which Article 42(3) of the States of Jersey Law 2005^[9] comes into force.

SCHEDULE 1

(Regulation 8)

CONSTRUCTION OF CERTAIN ORDERS IN COUNCIL

- 1 Civil Aviation Act (Channel Islands) Order 1953.^[10]
- 2 Civil Aviation Act (Channel Islands) Order 1966.^[11]
- 3 Civil Aviation Act 1971 (Channel Islands) Order 1972.^[12]
- 4 Civil Aviation Act 1982 (Jersey) Order 1990.^[13]
- 5 Aviation Security (Jersey) Order 1993.^[14]
- 6 Air Navigation (Jersey) Order 2000.^[15]
- 7 Civil Aviation (Investigation of Air Accidents and Incidents) (Jersey) Order 2000.^[16]

SCHEDULE 2

(Regulation 9)

SUBORDINATE ENACTMENTS AMENDED

1 Harbours (Jersey) Regulations 1962 – references to Defence Committee

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Harbours (Jersey) Regulations 1962.^[17]
- (2) In Regulation 36 for the words “officer of the Home Affairs Committee” there shall be substituted the words “officer in an administration of the States for which the Minister is assigned responsibility”.
- (3) In Regulation 37 for the words “from the Home Affairs Committee having regard to that Committee’s” there shall be substituted the words “from the Minister for Home Affairs having regard to that Minister’s”.
- (4) In the following provisions for the words “Home Affairs Committee” there shall be substituted the words “Minister for Home Affairs” –
 - (a) Regulation 30;
 - (b) Regulation 34(1).

2 Harbours (Jersey) Regulations 1962 – other amendments

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Harbours (Jersey) Regulations 1962.^[18]
- (2) In Regulation 1(1) and (2) for the words “it deems appropriate” there shall be substituted the words “he or she deems appropriate”.
- (3) In Regulation 2(1) –
 - (a) for the words “it considers” and “it thinks” there shall be substituted the words “he or she considers” and “he or she thinks” respectively;
 - (b) for the words “its officers” there shall be substituted the words “the officers in an administration of the States for which the Minister is assigned responsibility”.
- (4) In Regulation 2(2) for the words “it deems” there shall be substituted the words “he or she deems”.
- (5) In Regulations 3(3) and 4(1) for the words “it thinks” there shall be substituted the words “he or she thinks”.
- (6) In Regulation 3(4) for the words “it shall” and “its decision” there shall be substituted the words “he or she shall” and “the Minister’s decision” respectively.
- (7) In Regulation 3(7) for the words “its decision” there shall be substituted the words “the Minister’s decision”.
- (8) In Regulation 7(2) for the words “its officers” there shall be substituted the words “any officers in an administration of the States for which the Minister is assigned responsibility”.
- (9) In Regulation 37–
 - (a) for the words “The Committee may at its absolute discretion” there shall be substituted the words “The Minister may at his or her absolute discretion”;
 - (b) for the words “it has obtained” there shall be substituted the words “he or she has obtained”.
- (10) In Regulation 45(4) for the words “the Committee or its officers” there shall be substituted the words

“the Minister or an officer in an administration of the States for which the Minister is assigned responsibility”.

- (11) In Regulation 48(h) for the words “any officer of the Committee in the exercise of the officer’s duties” there shall be substituted the words “an officer in an administration of the States for which the Minister is assigned responsibility in the exercise of the officer’s duties”.
- (12) In Regulation 51 the definition “Committee” shall be omitted.
- (13) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Part 1, heading to the Part;
 - (b) Regulation 1(1), (2) and (3) and the heading to the Regulation;
 - (c) Regulation 2(1) and (2);
 - (d) Regulation 3(1), (2), (3), (4), (7) and (8);
 - (e) Regulation 4(1) and (2);
 - (f) Regulation 5;
 - (g) Regulation 7(2);
 - (h) Regulation 11;
 - (i) Regulation 20(k);
 - (j) Regulation 24;
 - (k) Regulation 35;
 - (l) Regulation 45(3);
 - (m) Regulation 47(1) and (2);
 - (n) Regulation 49(1) and (2) and the heading to the Regulation.

3 Aerodromes (Jersey) Regulation 1965

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Aerodromes (Jersey) Regulations 1965.^[19]
- (2) In Regulation 2(1) and (2) for the words “as it deems” there shall be substituted the words “as the Minister deems”.
- (3) In Regulation 3(1) for the words “as it thinks fit” (twice occurring) there shall be substituted the words “as the Minister thinks fit”.
- (4) In Regulation 7(4) for the words “Committee or any officer or servant of the Committee” there shall be substituted the words “Minister, any officer in an administration of the States for which the Minister is assigned responsibility or any servant of the Minister”.
- (5) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Heading to Part 2;
 - (b) Regulation 2(1), (2) and (3) and the heading to the Regulation;
 - (c) Regulation 3(1) and (2);
 - (d) Regulation 4;
 - (e) Regulation 9(1) and (2);
 - (f) Regulation 11(1) and (2) and the heading to the Regulation.

4 Boats and Surf-Riding (Control) (Jersey) Regulations 1969

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Boats and Surf-Riding (Control) (Jersey) Regulations 1969^[20]
- (2) In Regulations 1, 4, 7 and 31(1) the definition “Committee” shall be deleted.
- (3) In Regulations 11 and 23(1) the definition “competent authority” shall be deleted.
- (4) In Regulations 17(1) and 28(1) for the words “it shall notify the applicant for or holder of the licence of the reasons for its decision” there shall be substituted the words “he or she shall notify the applicant for or holder of the licence of the reasons for the Minister’s decision”.
- (5) In Regulation 17(4) for the words “its decision” there shall be substituted the words “the Minister’s decision”.
- (6) In the following Regulations for the words “competent authority” there shall be substituted the word “Minister” –
 - (a) Regulation 13(1);
 - (b) Regulation 14(1);
 - (c) Regulation 15;
 - (d) Regulation 16(1) and (2);
 - (e) Regulation 17(1) and (4);
 - (f) Regulation 23, in the definition “licence”;
 - (g) Regulation 25;
 - (h) Regulation 26(1);
 - (i) Regulation 27(1) and (2);
 - (j) Regulation 28(1) and (5).
- (7) In Regulation 37(1) for the words “Harbours and Airport Committee” there shall be substituted the word “Minister”.
- (8) For Regulation 44 there shall be substituted the following Regulation–

“44 Exemptions

The Minister may at his or her absolute discretion exempt any person or thing from any of the provisions of these Regulations subject to the conditions that the Minister thinks fit.”.

- (9) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Regulation 2(2), (6), (7), (8), (9), (10) and (12);
 - (b) Regulation 5(1), (2), (3), (4), (5) and (6);
 - (c) Regulation 8(1), (2) and (3);
 - (d) Regulation 32(1);
 - (e) Regulation 33(1) and (2);
 - (f) Regulation 35(1), (3) and (4).

5 Pilotage (General Provisions) (Jersey) Regulations 1988

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Pilotage (General Provisions) (Jersey) Regulations 1988.^[21]
- (2) In Regulation 4(7) for the words “it is satisfied” there shall be substituted the words “he or she is satisfied”.

- (3) In Regulation 5(1) for the words “it may attach” there shall be substituted the words “the Minister may attach”.
- (4) For Regulation 7(2) there shall be substituted the following paragraph—
 - “(2) If –
 - (a) a pilot refuses to submit to such an examination; or
 - (b) whether as the result of such an examination or otherwise, it appears to the Minister that there is reason to believe that a pilot is physically or mentally unfit to be entrusted with the pilotage charge of ships in the territorial waters of the Island,

the Minister may make such enquiry as he or she deems necessary into the person’s qualifications and fitness, and, unless the Minister is satisfied that the pilot is fit as aforesaid, the Minister shall suspend the pilot’s licence until the pilot has so satisfied the Minister, following which the Minister may, in his or her discretion, restore the licence.”.
- (5) In Regulation 10(1) for the words “it shall notify the applicant for the licence or the pilot, as the case may be, of the reasons for its decision” there shall be substituted the words “he or she shall notify the applicant for the licence or the pilot, as the case may be, of the reasons for his or her decision”.
- (6) In Regulation 10(5) for the words “its decision” there shall be substituted the words “the Minister’s decision”.
- (7) In Regulation 11(2) for the words “it may appoint” there shall be substituted the words “the Minister may appoint”.
- (8) In the following provisions for the word “Committee” in each place where it appears there shall be substituted the word “Minister” –
 - (a) Regulation 2;
 - (b) Regulation 3(1)(c);
 - (c) Regulation 4(1)(e)(iii) and (7);
 - (d) Regulation 5(1), (2) and (5);
 - (e) Regulation 7(1);
 - (f) Regulation 8(1);
 - (g) Regulation 9;
 - (h) Regulation 10(1), (5) and (6);
 - (i) Regulation 11(1) and (2);
 - (j) Regulation 12(2)(b);
 - (k) Regulation 13(2);
 - (l) Regulation 15;
 - (m) Regulation 18(1) and (2).

6 Pilotage (Pensions) (Jersey) Regulations 1988

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Pilotage (Pensions) (Jersey) Regulations 1988.^[22]
- (2) In Regulation 1, for the definition “Scheme” there shall be substituted the following definition –

“ ‘Scheme’ means the pension scheme approved for the purposes of these Regulations under Regulation 2.”.
- (3) For Regulation 2 there shall be substituted the following Regulation –

“2 The Scheme

The Minister for Economic Development shall continue to maintain the pension scheme approved for the purposes of these Regulations before the States of Jersey Law 2005 came into force.”.

- (4) In Regulation 5(1) and (2) for the word “Committee” there shall be substituted the word “Minister”.

7 Pilotage (Dues and Fees) Order 2003

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Pilotage (Dues and Fees) Order 2003.^[23]
- (2) In Article 2(1) for the words “shall continue to be administered by the Committee for the payment to general pilots, at the discretion of the Committee,” there shall be substituted the words “shall be administered by the Minister for the payment to general pilots, at the discretion of the Minister,”.
- (3) In Article 2(2)(e) for the word “Committee” there shall be substituted the word “Minister”.
- (4) In Article 3(2) for the word “Committee’s” there shall be substituted the word “Minister’s”.

8 Shipping (SOLAS) (Jersey) Regulations 2004

In Regulation 1 of the Shipping (SOLAS) (Jersey) Regulations 2004,^[24] and the heading to the Regulation, for the word “Committee” there shall be substituted the word “Minister”.

9 Shipping (Training, Certification and Manning) (Jersey) Order 2004

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Shipping (Training, Certification and Manning) (Jersey) Order 2004.^[25]
- (2) In the heading to Article 5, for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 3(2);
 - (b) Article 4(2)(b);
 - (c) Article 5.

10 Shipping (Fishing Vessels Safety Training) (Jersey) Order 2004

In the Shipping (Fishing Vessels Safety Training) (Jersey) Order 2004,^[26] in Article 4, for the word “Committee” and the words “as it may specify” there shall be substituted the word “Minister” and the words “as the Minister may specify” respectively.

11 Shipping (Fishing Vessels Safety Provisions) (Jersey) Order 2004

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Shipping (Fishing Vessels Safety Provisions) (Jersey) Order 2004.^[27]
- (2) In Article 133, for the words “if it is satisfied” there shall be substituted the words “if the Minister is

satisfied”.

- (3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Article 3;
 - (b) Article 77(2);
 - (c) Article 124(2);
 - (d) Article 127;
 - (e) Article 128(1);
 - (f) Article 129;
 - (g) Article 132(1) and (2);
 - (h) Article 133;
 - (i) Article 134(1), (2) and (3);
 - (j) Schedule 1.

12 Shipping (Registration) (Jersey) Regulations 2004

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Shipping (Registration) (Jersey) Regulations 2004.^[28]
- (2) In Regulation 5(3), for the words “it considers” there shall be substituted the words “the Minister considers”.
- (3) In Regulation 7(2), for sub-paragraph (c) there shall be substituted the following sub-paragraph –

“(c) if the owner is a Minister of the States of Jersey, by the Minister;”.
- (4) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Regulation 3(2);
 - (b) Regulation 4(2)(e);
 - (c) Regulation 5(1)(c) and (3);
 - (d) Schedule 2, paragraph 3.

13 Shipping (Tonnage) (Jersey) Regulations 2004

In the following provisions of the Shipping (Tonnage) (Jersey) Regulations 2004,^[29] for the word “Committee”, in each place where it appears, there shall be substituted the words “Minister” –

- (a) Regulation 1, in the definitions “authorized measurer”, “Certifying Authority” and “moulded draught”;
- (b) Regulation 3(3);
- (c) Regulation 15;
- (d) Regulation 22(5);
- (e) Regulation 24(1) and (2).

14 Shipping (Load Line) (Jersey) Regulations 2004

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Shipping (Load Line) (Jersey) Regulations 2004.^[30]

- (2) In Regulation 17(4), for the words “it has reason” there shall be substituted the words “the Minister has reason”.
- (3) In Regulations 18(1) and 19(1), for the words “it exempts” there shall be substituted the words “the Minister exempts”.
- (4) In Regulation 20(2), for the words “it is satisfied” there shall be substituted the words “the Minister is satisfied”.
- (5) In Regulation 20(3), for the words “it must first” there shall be substituted the words “the Minister must first”.
- (6) In Regulation 20(4), for the words “it shall” there shall be substituted the words “the Minister shall”.
- (7) In Regulation 20(6), for the words “surrendered to it” there shall be substituted the words “surrendered to the Minister”.
- (8) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Regulation 1, definitions of “Assigning Authority”, “freeboard deck” and “surveyor”;
 - (b) Regulation 2(3)(c);
 - (c) Regulation 3(1), (3), (4) and (5);
 - (d) Regulation 7 and the heading to the Regulation;
 - (e) Regulation 15(1) and (2);
 - (f) Regulation 16(1), (2) and (3) and the heading to the Regulation;
 - (g) Regulation 17(4) and the heading to the Regulation;
 - (h) Regulation 18(1);
 - (i) Regulation 19(1) and (3)(c);
 - (j) Regulation 20(2), (3), (4)(a) and (b) and (6);
 - (k) Regulation 37(3)(b), (4)(b), (5) and (6)(a) and (b);
 - (l) Regulation 38(4)(a) and (b);
 - (m) Regulation 39(1) and (2);
 - (n) Regulation 41;
 - (o) Regulation 45(3).

15 Community Provisions (Ship and Port Facility – Security) (Jersey) Regulations 2004

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Community Provisions (Ship and Port Facility – Security) (Jersey) Regulations 2004. [\[31\]](#)
- (2) In Regulation 1(1)–
 - (a) the definition “Committee” shall be deleted;
 - (b) after the definition “Member State” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for Economic Development;”.
- (3) In Regulation 11(2) for the words “It shall” there shall be substituted the words “The Minister shall”.
- (4) In Regulation 13 –
 - (a) in paragraph (5)(b), for the words “appointed by it” there shall be substituted the words “appointed by the Minister”;
 - (b) in paragraph (5)(d), for the words “its decision” there shall be substituted the words “the Minister’s decision”;

- (c) in paragraph (6), for the words “its decision” there shall be substituted the words “the Minister’s decision”.
- (5) In Regulation 14(3) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (6) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Regulation 4;
 - (b) Regulation 5(1), (2), (3), (4) and (7);
 - (c) Regulation 6(1), (2), (3) and (4);
 - (d) Regulation 7(4);
 - (e) Regulation 8(1) and (2);
 - (f) Regulation 9(1), (3), (4), (5) and (6);
 - (g) Regulation 10;
 - (h) Regulation 11(1);
 - (i) Regulation 13(4), (5), (6) and (7);
 - (j) Regulation 14(1), (2), (3) and (4);
 - (k) Regulation 17;
 - (l) Regulation 20(1), (3), (4) and (5);
 - (m) Regulation 23(1) and (2).

16 Shipping (Safety Codes) (Jersey) Order 2005

- (1) In this paragraph, any reference to a provision is a reference to the provision in the Shipping (Safety Codes) (Jersey) Order 2005. [\[32\]](#)
- (2) In Article 5(2) for the word “Committee’s” there shall be substituted the word “Minister’s”.
- (3) In the following provisions, for the word “Committee”, in each place where it appears, there shall be substituted the word “Minister” –
 - (a) Regulation 5(1) and (2);
 - (b) Regulation 6;
 - (c) Regulation 8, definition “Memorandum of Understanding”.

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- [1] *Recueil des Lois, Volume 2005, page 370.*
- [2] *Recueil des Lois, Tome VII, page 397.*
- [3] *Recueil des Lois, Tome VIII, page 69, Volume 1982-1983, page 37, Volume 1990-1991, page 411 and Volume 2001, page 155.*
- [4] *Recueil des Lois, Tome VIII, page 441.*
- [5] *Recueil des Lois, Tome VIII, page 497, Volume 1992-1993, page 111, Volume 1996-1997, page 165 and Volume 2001, page 173.*
- [6] *Recueil des Lois, Volume 1961-1962, page 163, Volume 1975-1978, page 261, Volume 1982-1983, page 35, Volume 1992-1993, page 5, Volume 1998, page 423, Volume 2000, page 865 and Volume 2002, page 491.*
- [7] *Recueil des Lois, Volume 1988-1989, page 179.*
- [8] *Recueil des Lois, Volume 2002, page 801, Volume 2003, page 457 and Nos. 9/2004 and 10/2004.*
- [9] *Recueil des Lois, Volume 2005, page 367.*
- [10] *Recueil des Lois, Tome VIII, page 209.*
- [11] *Recueil des Lois, Volume 1966-1967, page 213.*
- [12] *Recueil des Lois, Volume 1970-1972, page 335.*
- [13] *Recueil des Lois, Volume 1990-1991, page 145.*
- [14] *Recueil des Lois, Volume 1992-1993, page 125.*
- [15] *Recueil des Lois, Volume 2000, page 303, Volume 2001, page 1 and Volume 2002, page 401.*
- [16] *Recueil des Lois, Volume 2000, page 639.*
- [17] *Nos. 4338, 4574, 4699, 4842, 4843, 6057, 6642, 6477, 7240, 7541, 9015, 9203, 9343, 43/2001, 116/2002, 151/2003, 40/2004 and 154/2004.*
- [18] *Nos. 4338, 4574, 4699, 4842, 4843, 6057, 6642, 6477, 7240, 7541, 9015, 9203, 9343, 43/2001, 116/2002, 151/2003, 40/2004 and 154/2004.*
- [19] *Nos. 4629, 5023, 6880, 7542, 60/2001 and 61/2004.*
- [20] *Nos. 5239, 5550, 5634, 6352, 7268, 7649, 7688, 8312, 8674, 9049, 9417, 3/2002, 113/2002, 174/2002, 152/2003 and 41/2004.*
- [21] *Nos. 7851, 8053, 8203, 8249, 8359, 8528, 8901, 9345 and 114/2002.*
- [22] *No. 7852.*
- [23] *No. 127/2003.*
- [24] *No. 9/2004.*
- [25] *No. 17/2004.*
- [26] *No. 24/2004.*
- [27] *No. 43/2004.*
- [28] *No. 30/2004.*
- [29] *No. 28/2004.*
- [30] *No. 10/2004.*
- [31] *No. 55/2004.*
- [32] *No. 6/2005.*