

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 29th MAY 2012**

**Question**

Further to previous responses given, will the Minister advise Members -

- (a) which specific laws, Regulations, orders, guidance notes and procedures his Department audited in advance of the coming into force of the Human Rights (Jersey) Law 2000, and which they did not?
- (b) which laws, Regulations, orders, guidance notes and procedures his department has asked the Law Officers' Department to audit or comment upon since I first raised this issue?

**Answer**

- (a) The table below lists the Laws and subordinate legislation that are administered by my Department, and includes details on which laws have been reviewed for Human Rights (Jersey) Law 2000 compliance.
- (b) My department is working with the Law Officers' Department to identify if there are any higher risk areas within my department that need auditing for Human Rights (Jersey) Law 2000 compliance.

As requested in my answer to question 6873 asked by Deputy M.R. Higgins of St. Helier on Tuesday 15th May, if there are any convention rights that the Deputy believes are challenged by my department, I would be grateful if he would draw them to my attention, or he can seek his own advice from the Law Officers.

<b>The Department administers the following Laws and subordinate legislation:</b>	
	Reviewed (in part or whole) for Human Rights (Jersey) Law 2000 compliance? *
<b>Environment Division</b>	
Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974	
Agricultural Marketing (Jersey) Law 1953	Yes. (ref:P.107/2003)
Animals (Trapping)(Jersey) Law 1961	
Animal Welfare (Jersey) Law 2004	Yes (ref: P.126/2003)
Artificial Insemination of Domestic Animals (Jersey) Law 1952	
Conservation of Wildlife (Jersey) Law 2000	Yes (ref: P.187/2001)
Dangerous Wild Animals (Jersey) Law 1999	
Diseases of Animals (Jersey) Law 1956	Yes (ref: P.29/2005)
Diseases of Animals (Rabies) (Jersey) Law 1976	
Draft Endangered Species (CITES) (Jersey) Law 201-	Yes (ref: P.171/2011)
European Communities Legislation (Implementation) (Jersey) Law 1996	not necessary
Fertilisers and Feeding Stuffs (Jersey) Law 1950	Yes (ref: P.28/2005)
Food and Environmental Protection Act 1985 (Jersey)	
Pesticides (Jersey) Law 1991	
Pet Travel Scheme (Jersey) Regulations 2011	
Planning and Building (Environmental Impact Assessment) (Jersey) Order 2006	Yes (ref: P.50/2001)
Plant Health (Jersey) Law 2003	Yes (ref: P.1/2003)
Sea Fisheries (Jersey) Law 1994	Yes (ref: P.95/2002)
Sea Fisheries (Channel Islands) Order 1973	
Loi (1894) sur la coupe et la pêche des vraics	
Sea Beaches (Removal of sand and stone) (Jersey) Law 1963	
Protection of Agricultural Land (Jersey) Law 1964	
Slaughter of Animals (Jersey) Law 1962	
Waste Management (Jersey) Law 2005	Yes (ref: P.88/2004)
Water Pollution (Jersey) Law 2000	Yes (ref: P.11/2006)
Water Resources (Jersey) Law 2007	Yes (ref: P.26/2007)
Water (Jersey) Law 1972 as amended	Yes (ref: P.24/2003)
Weeds (Jersey) Law 1961	
Endangered Species (CITES) (JERSEY) Law 2011	Yes (ref: P.171/2011)
<b>Planning and Building Services Division</b>	
Planning and Building (Jersey) Law 2002, as amended.	Yes (ref: P.50/2001, P.210/2004)
Planning and Building (Public Inquiries) (Jersey) Order 2008	Yes (ref: P.50/2001)
Building Bye-Laws (Jersey) 2007, as amended.	
Planning and Building (Building Bye-Laws) (Jersey) Order 2007	Yes (ref: P.50/2001)
Planning and Building (Application Publication) (Jersey) Order 2006	
Planning and Building (Display of Advertisements) (Jersey) Order 2006	
Planning and Building (Environmental Impact) (Jersey) Order 2006	
Planning and Building (General Development) (Jersey) Order 2011	
Planning and Building (Island Plan) (Jersey) Order 2009	Yes (ref: P.127/2005)
Planning and Building (Movable Structures) (Jersey) Order 2006	
Planning and Building (Fees) (Jersey) Order 2010 (to be replaced by 2011)	not necessary
High Hedges (Jersey) Law 2008	Yes (ref: P.51/2007)
High Hedges (Application Fee) (Jersey) Order 2008 (to be replaced by 2009)	not necessary
* In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000 the Minister made a statement to the effect that in the Minister's view the provisions of the <i>projet de Loi</i> are compatible with the Convention rights – (Article 16 only applies to laws)	

