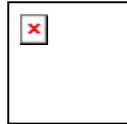


**STATES OF JERSEY LAW 1966, AS AMENDED:
DELEGATION OF FUNCTIONS -
AGRICULTURE AND FISHERIES**

**Presented to the States on 8th February 2000
by the Agriculture and Fisheries Committee**



STATES OF JERSEY

STATES GREFFE

150

2000

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Report

On 17th December 1999, the Agriculture and Fisheries Committee made an Act delegating certain of its functions under legislation referred to in the Committee Paper.

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

“A3. The Committee, with reference to Act No. 21 of 8th January 1997, of the Committee as previously constituted, and in pursuance of Article 36A of the States of Jersey Law 1966, as amended, received and noted the contents of a formal statement (designated Committee Paper AF/1/00) which detailed certain powers delegated to the Chief Officer by the Committee as previously constituted.

The Committee accordingly approved the contents of the aforementioned statement subject to minor amendments and requested that a copy of this Act and the attached statement be displayed in the Department’s offices for perusal by the public.

The Greffier of the States was requested to present the details of the approved delegated powers to the States for information.”.

COMMITTEE PAPER

1. Control and sales of leases of land

- Legislation:** Article 2 and 3 of the Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974, as amended.
- Delegate:** The Chief Officer of the Agriculture and Fisheries Department or, in his absence, the Deputy Chief Officer.
- Functions delegated:** The power to grant consent for the sale or lease of land where the consent -
- (i) in the case of land in respect of which a consent had previously been granted, did not result in the loss of any of the agricultural land specified in the application;
 - (ii) ensured agricultural land on which a consent had not previously been granted and for which consent was now required was reserved solely for the use of *bona fide* agriculturalists;
 - (iii) renewed a consent previously granted in respect of land defined as 'gardens' or 'amenity land';
 - (iv) recognised as 'gardens' or 'amenity land' land which had not previously been the subject of an application under the Law;
 - (v) renewed a consent previously granted for land of non-agricultural importance but where the environmental impact of any changes needed the approval of the Planning and Environment Committee;

(vi) recognised an area of land of non-agricultural importance but where the environmental impact of any changes needed the approval of the Planning and Environment Committee which had not previously been the subject of an application under the Law.

Scope of delegation: Grant of consents and imposition of conditions.

2. Sea fisheries

Legislation: Regulations 2 and 3 of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 1996.

Delegate: The Chief Officer or, in his absence, the Sea Fisheries Adviser.

**Function delegated/
Scope of delegation:** The power to issue licences where the application for a licence -

- (i) had been fully completed;
- (ii) met all the conditions specified in the Regulations;
- (iii) had included with it all the appropriate documentation;
- (iv) had been accompanied by the relevant fee;
- (v) contained information that the officers of the Department believed, to the best of their ability, was correct.

Legislation: Regulation 3 of the Shellfish (Underwater Fishing) (Jersey) Regulations 1998.

Delegate: The Chief Officer or, in his absence, the Sea Fisheries Adviser.

**Function delegated/
Scope of delegation:** The power to issue Scallop Permits where the application for a Scallop Permit -

- (i) had been fully completed;
- (ii) met all the conditions specified in the Regulations;
- (iii) had included with it all the appropriate documentation;
- (iv) had been accompanied by the relevant fee;
- (v) contained information that the officers of the Department believed, to the best of their ability, was correct.

3. Slaughter of animals

Legislation: Article 4 of the Slaughter of Animals (Jersey) Law 1962.

Delegate: The States Veterinary Officer or, in his absence, the person appointed under Article 2 of the Law.

Function delegated: (i) The power to issue licences to permit the slaughtering or stunning of animals;

(ii) the power to suspend a licence.

Scope of delegation: (i) Conditions as to the types of animals that could be slaughtered and the equipment to be used would be detailed;

(ii) in the event that the States Veterinary Officer was not prepared to issue a licence to an employee whose official duties included the slaughtering of animals, the matter would be referred to the Committee for consideration as to refusal of the application;

(iii) in the case of a licence being suspended, a written report was to be submitted immediately to the Chief Officer for the Committee's consideration.