

# **STATES OF JERSEY**



## **STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – PLANNING AND ENVIRONMENT DEPARTMENT – DELEGATED POWERS TO THE ASSISTANT MINISTER AND OFFICERS**

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**Presented to the States on 13th April 2007  
by the Minister for Planning and Environment**

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**STATES GREFFE**



## **REPORT**

On 11th April 2007, the Minister for Planning and Environment made a decision delegating certain of his functions under Article 28(1) of the States of Jersey Law 2005.

The terms of the delegation were recorded in a ministerial decision as follows –

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In pursuance of Article 28 of the States of Jersey Law 2005 (Revised Edition), the Minister for Planning and Environment has previously delegated certain functions under legislation in force. Therefore, the following updated and new (for newly introduced legislation) delegations listed in SD-MD-PE-2007-029 (*see attached Appendix*) are recommended to Departmental Chief Officers/Heads of Department and other operational officers where appropriate in accordance with Article 28 of the States of Jersey Law 2005 (Revised Edition).

Article 28(1) of the States of Jersey Law 2005 permits a Minister to delegate, wholly or partly, functions conferred upon or vested in the Minister by or under this Law or any other enactment or any enactment of the United Kingdom having effect in Jersey.

It also states that the delegation of functions by a Minister under the Article shall not prevent the Minister exercising those functions personally.

**Revised Schedule of Delegated Powers March 2007**

	Detail/Involves	Delegated powers to whom amended 06-10-19
<p><b>Animal Welfare (Jersey) Law 2004</b>  <b>Animal Welfare (Amendment) (Jersey) Law 2006</b></p> <p><i>Ordinate</i>            Animal Welfare (Amendment of Schedule 1) (Jersey) Order 2007            Animal Welfare (Temporary Licensing Exemptions) (Jersey) Order 2007            Animal Welfare (Licence Fee) (Jersey) Order 2007            Animal Welfare (Poisons) (Jersey) Order 2007</p>	<ul style="list-style-type: none"> <li>• A Law to consolidate and revise the laws promoting the welfare of animals and the prevention of suffering by animals, to regulate the keeping and use of animals, and for connected purposes.</li> <li>• The Law defines the Veterinary Officer according to the definition given under the Diseases of Animals (Jersey) Law 1956 – the Appointed Veterinary Officer (or their appointed Deputy under Part 2, Article 2 of the 1956 Law ) has delegated powers under all Orders and is empowered to perform all duties relating to veterinary matters (Article 2, 3, 4, 5, 6, 7).</li> <li>• Additional delegated powers are requested for appointment; as Inspector is required in accordance with Article 22 to carry out licensing visits or enter premises licensed in accordance with Articles 14 or 15 of the Law.</li> </ul> <p>The Animal Welfare (Amendment) (Jersey) Law 2006 amends the AW(J) Law 2004 to restrict the powers of an inspector appointed under Article 22 prohibiting them from exercising functions in relation to licensing if the licensed activity is also undertaken by the inspector or his/her employers. JSPCA veterinary surgeon to be appointed inspector for purposes of warrant application and inspection outwith licensed premises of same type as JSPCA.</p>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> </ul> <p><i>For the purposes of administration, inspection and enforcement</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Standby Officers (4)</li> </ul> <p><i>For the purposes of inspection and enforcement of suspected offences (not licensing)</i></p> <ul style="list-style-type: none"> <li>• JSPCA Veterinary Officer – Tiffany Blackett</li> </ul>
<p><b>Cultural Land (Control of Sales and Leases) (Jersey) Law 1974</b></p>	<p>A Law to control sales and leases of agricultural land.            Delegated powers are requested under –</p> <ul style="list-style-type: none"> <li>• Article 2– The issuing of consents and permissions on agricultural land at the point of sale or leases using longstanding terms of reference. Decisions not within TOR are referred to the Minister.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director Of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• Statutory Services Officer</li> <li>• Head of Countryside</li> </ul>

<p><b>gricultural Marketing (Jersey) Law 1953</b></p> <p><i>ordinate</i></p> <p>Export of Agricultural Produce (Jersey) Order 1972</p> <p>Potatoes (Precautions against Blight) (Jersey) Order 1961</p> <p>Export of Flowers (Jersey) Order 1972</p>	<ul style="list-style-type: none"> <li>• A Law to provide for the control of the marketing of agricultural produce by control of production and by other means, to empower the States to approve schemes for this purpose and to provide for other matters incidental thereto.</li> <li>• Delegated powers are requested for the administration inspection and enforcement for the three pieces of subordinate legislation to ensure export produce adheres to certain standards and that crops are disease-free. This allows Jersey to trade with Europe.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Assistant Director – Environmental Protection</li> <li>• Director of Environmental Management and Rural Economy</li> </ul> <p><i>For the purposes of administration, inspection and enforcement</i></p> <ul style="list-style-type: none"> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>
<p><b>imals (Trapping) (Jersey) Law 1961</b></p> <p><i>ordinate</i></p> <p>Spring Traps (Approval) (Jersey) Order 1996</p> <p>Small Ground Vermin Traps (Jersey) Order 1961</p>	<p>A Law to define approved traps and to regulate and enforce their appropriate use.</p>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Principal Ecologist</li> <li>• States Veterinary Officer</li> </ul>
<p><b>ificial Insemination of Domestic Animals (Jersey) Law 1952</b></p> <p>replacement Law has been replaced entitled the Artificial Insemination of Domestic Animals (Jersey) Law 200- has currently been replaced.)</p> <p><i>ordinate</i></p> <p>Artificial Insemination of Domestic Animals (Jersey) Order 1952</p>	<ul style="list-style-type: none"> <li>• Licences to those wishing to perform artificial insemination on any female domestic animal and also to those who wish to collect, store, distribute or sell the semen from any male domestic animal (Article 2).</li> <li>• Licences to persons wishing to import (other than cattle) or export the embryos, ova or semen of domestic animals and to export (including cattle) as above (Article 3).</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• States Veterinary Officer</li> </ul>

<p><b>Conservation of Wildlife (Sey) Law 2000</b></p>	<ul style="list-style-type: none"> <li>• A Law to protect scheduled wild animals and birds and their nest or dens from death, damage or disturbance.</li> </ul> <p>Article 16 allows for the licensing of normally prohibited activities under the following Articles 6, 8, 9, 10, 11, 15 prohibitions –</p> <ul style="list-style-type: none"> <li>•6 Relating to dens and nests, etc. of protected wild animals and protected wild birds</li> <li>•8 Keeping etc. of protected wild animals and protected wild birds</li> <li>•9 Certain methods of killing or taking wild birds</li> <li>•10 Certain methods of killing or taking wild animals (no licences have ever been issued for 9&amp;10)</li> <li>•11 Export of certain reptiles and amphibians</li> <li>•15 Release etc. of imported species (specifically includes Pheasants and Partridges).</li> </ul> <p>Licences may only be issued if the thing to be done is for scientific, research, educational purposes, (e.g. ringing, marking, tracking; preserving public health or public or air safety; the re-introduction of a species, the purpose of conservation or the spreading of diseases, preventing serious damage to livestock and crops, AND <i>‘there is no other satisfactory solution and that anything authorized by the licence will not be detrimental to the survival of the population concerned’</i>.</p> <ul style="list-style-type: none"> <li>• Delegated powers are also required under Article 18 for enforcement activities (Article 18).</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• Principal Ecologist</li> </ul>
<p><b>Dangerous Wild Animals (Sey) Law 1999</b></p>	<p>This Law enforces a licensing requirement to keep a scheduled animal (Article 3).</p> <ul style="list-style-type: none"> <li>• Administration of this Law is delegated to the States Veterinary Officer who will seek advice at his/her discretion.</li> </ul> <p>(Note: Only one licence has been issued under the Law.)</p>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• States Veterinary Officer</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>

<p><b>Diseases of Animals (Jersey) Law 1956</b></p> <p><i>ordinate</i></p> <p>Diseases of Animals (Importation of Miscellaneous Goods) (Jersey) Order 1958</p> <p>Diseases of Animals (Approved Disinfectants) (Jersey) Order 1958</p> <p>Diseases of Animals (Importation of Live Fish) (Jersey) Order 1984</p> <p>Importation of Equine Animals (Jersey) Order 1958</p> <p>Importation of Equine Animals (African Horse Sickness) (Prohibition) (Jersey) Order 1961</p> <p>Bee Diseases Control (Jersey) Order 1992</p> <p>Importation of Bees (Jersey) Order 1979</p> <p>Diseases of Animals (Miscellaneous Provisions) (Jersey) Order 1958</p> <p>Export Quarantine Stations (Regulation) (Jersey) Order 1958</p> <p>Foot and Mouth Disease (Sera and Glandular Products) (Jersey) Order 1958</p> <p>Diseases of Animals (Therapeutic Substances) (Jersey) Order 1958</p> <p>Diseases of Animals (Waste Foods) (Jersey) Order 1958</p> <p>Diseases of Animals (Welfare in Transit) (Jersey) Order 2001</p> <p>Rabies (Jersey) Order 1958</p> <p>Rabies (Control) (Jersey) Order 1976</p> <p>Rabies (Importation of Dogs, Cats and Other Mammals) (Jersey) Order 1976</p> <p>Non-Commercial Movement of Pet Animals (Jersey) Regulations 2006</p>	<ul style="list-style-type: none"> <li>• The Appointed Veterinary Officer (under Part 2, Article 2 of the Law) has delegated powers under all Orders and is empowered to perform all duties relating to veterinary matters (Article 2, 3, 4, 5, 6, 7)</li> <li>• Licences are issued under delegated powers.</li> <li>• The Minister is advised of the outbreak of any notifiable disease.</li> </ul> <p><b>Notifiable disease Orders</b></p> <p><i>Anthrax (Jersey) Order 1958</i></p> <p><i>Aujeszky's Disease (Jersey) Order 1984</i></p> <p><i>Diseases of Animals (Avian Influenza) (Jersey) Order 2005</i></p> <p><i>Foul Brood Disease of Bees (Jersey) Order 1958</i></p> <p><i>Bovine Spongiform Encephalopathy (Jersey) Order 1988</i></p> <p><i>Cattle Plague (Jersey) Order 1958</i></p> <p><i>Contagious Abortion (Jersey) Order 1958</i></p> <p><i>Contagious Abortion (Amendment) (Jersey) Order 2006</i></p> <p><i>Enzootic Bovine Leucosis Disease (Jersey) Order 1984</i></p> <p><i>Epizootic Lymphangitis (Jersey) Order 1958</i></p> <p><i>Foot-and-Mouth Disease (Jersey) Order 1958</i></p> <p><i>Fowl Pest (Jersey) Order 1958</i></p> <p><i>Fowl Typhoid (Jersey) Order 1959</i></p> <p><i>Glanders or Farcy (Jersey) Order 1958</i></p> <p><i>Virus Hepatitis (Jersey) Order 1958</i></p> <p><i>Parasitic Mange (Jersey) Order 1958</i></p> <p><i>Pleuro-Pneumonia (Jersey) Order 1958</i></p> <p><i>Psittacosis (Jersey) Order 1958</i></p> <p><i>Sheep-Pox (Jersey) Order 1958</i></p> <p><i>Sheep Scab (Jersey) Order 1958</i></p> <p><i>Swine Fever (Jersey) Order 1958</i></p> <p><i>Swine Vesicular Disease (Jersey) Order 1974</i></p> <p><i>Teschen Disease (Jersey) Order 1975</i></p> <p><i>Tuberculosis (Jersey) Order 1958</i></p> <p><i>Warble Fly (Jersey) Order 1984</i></p> <p><i>Diseases of Animals (Bluetongue) (Jersey) Order 2006</i></p>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> </ul> <p><i>For the purposes of enforcement/inspection to report information to SVO</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> <li>• Standby Officers (4)</li> <li>• Assistant Director – Environmental Protection</li> <li>• Dairy &amp; Livestock Advisor</li> <li>• Horticultural Advisor</li> <li>• Head of Countryside</li> <li>• Principal Ecologist</li> </ul>
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<p><b>European Communities isolation plementation) (Jersey) r 1996</b></p> <p><i>ordinate</i> Fish Health (Jersey) Regulations 1999</p>	<ul style="list-style-type: none"> <li>• To ensure the health of aquaculture animals and aquaculture products in order to prevent the spread of disease.</li> <li>• Regulation, enforcement and inspections are carried out by States Veterinary Officer or his/her assistants.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• States Veterinary Officer</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> <li>• Standby Officers (4)</li> <li>• Senior Fisheries Inspector</li> <li>• Fisheries Officer – Research and Development</li> <li>• Sea Fisheries Officers (3)</li> </ul>
<p>European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002</p>	<ul style="list-style-type: none"> <li>• To ensure the correct form and application of prescribed cattle eartags; the registration of cattle and recording of movements.</li> <li>• Inspections and enforcement are carried out by States Veterinary Officer or his/her assistants.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• States Veterinary Officer</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>
<p>Community Provisions (Animal Feeding) (Jersey) Regulations 2005</p>	<ul style="list-style-type: none"> <li>• Regulations to ensure the prevention, control and eradication of certain transmissible spongiform encephalopathies.</li> <li>• Inspections and enforcement are carried out by States Veterinary Officer or his/her assistants.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• States Veterinary Officer</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>



<p><b>Fertilizers and Feeding Stuffs (Jersey) Law 1950</b></p> <p><i>Ordinate</i></p> <p>Fertilizers and Feeding Stuffs (Jersey) Order 1972</p>	<ul style="list-style-type: none"> <li>• A Law to make provision with respect to the sale of fertilizers and feeding stuffs in the Island and their contents which must not have animal extracts within them.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• States Veterinary Officer</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• States Veterinary Assistant</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>
<p><b>Marine Pollution Prevention Act 1985 (Jersey) Order 1987</b></p> <p><b>Marine Pollution Prevention Act 1985 (Jersey) Amendment) Order 1997</b></p>	<ul style="list-style-type: none"> <li>• To authorise the issue of licences for the deposit of substances at sea (Article 5 of 1987 order) e.g. dredge spoil from maintenance dredging of the harbours, burials at sea.</li> <li>• Detailed protocols establish the procedures and fees for each class of deposit together with lists of compulsory consultees.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Head of Fisheries &amp; Marine Resources</li> </ul>
<p><b>Pesticides (Jersey) Law 1991</b></p> <p><i>Ordinate</i></p> <p>Pesticides (Maximum Residue Levels in Food) (Jersey) Order 1991</p> <p>Pesticides (General Provisions) (Jersey) Order 1991</p>	<ul style="list-style-type: none"> <li>• To regulate the use of pesticides.</li> <li>• Delegated powers are requested for Article 4 which outlines the enforcement provisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• Assistant Director – Environmental Protection</li> </ul> <p><i>For the purposes of enforcement</i></p> <ul style="list-style-type: none"> <li>• Head of Agricultural Inspection</li> <li>• Agricultural – Environmental Specialists</li> <li>• Agricultural Inspectors (4)</li> </ul>

<p><b>Planning and Building (Jersey) Law 2002</b></p> <p><i>ordinate</i>          Planning and Building (Environmental Impact) (Jersey) Order 2006</p>	<ul style="list-style-type: none"> <li>• Permission to carry out activities on SSI land (Article 55) e.g. permission for the TA to carry out exercises, utilities maintenance, etc.</li> <li>• Permission to allow use of public land by Clubs and Associations, e.g. by the Jersey Rifle Club, who close Les Landes SSI 6 times annually for firing purposes.</li> <li>• Provisional listing (for 3 months only) of SSIs under Article 53 in the case of extreme threat to an area of SSI quality</li> </ul> <p>All administration of –</p> <ul style="list-style-type: none"> <li>• Part 2 – Prescribed development requiring an environmental impact statement;</li> <li>• Part 3 – Minister may indicate if environmental impact statement required;</li> <li>• Part 4 – Minister may indicate the scope of environmental impact statement.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director Of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> </ul> <ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director Of Environment</li> <li>• Assistant Director Policy and Projects</li> </ul>
<p><b>Plant Health (Jersey) Law 2003</b></p> <p><i>ordinate</i>          Stem and Bulb Eelworm (Jersey) Order 1971          Blight Disease (Jersey) Order 1982          Plant Health (Jersey) Order 2005</p>	<ul style="list-style-type: none"> <li>• Issuance of plant passports – Article 18 of the Plant Health Order.</li> <li>• Registration of growers, propagators or traders (Article 19 of the Plant Health Order) and keeping of the register (Article 20 of the Plant Health Order).</li> <li>• Delegated powers are requested for inspection and enforcement functions under Articles 24-31 of the Plant Health Order.</li> <li>• Issuance of licences – Article 34 of the Plant Health Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• Assistant Director – Environmental Protection</li> <li>• Plant Pathologist</li> <li>• Entomologist</li> </ul> <p><i>For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>

<p><b>Protection of Agricultural Land (Jersey) Law 1964</b></p>	<ul style="list-style-type: none"> <li>• This Law is to protect the ‘spoilation’ of agricultural land from contamination, neglect the removal of surface soil or any misuse.</li> <li>• Under Article 4(2) consents and permissions can be issued for prohibited activities to be carried out on Agricultural land.</li> <li>• For the purposes of Inspection and enforcement, delegated powers of entry are requested (Article 3) as are the powers to obtain information (Article 5)</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director Of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> <li>• Statutory Services Officer</li> <li>• Head of Countryside</li> </ul> <p><i>For the purposes of enforcement/inspection/obtain information</i></p> <ul style="list-style-type: none"> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>
<p><b>Protection of Animals (Jersey) Law 1962</b></p>	<ul style="list-style-type: none"> <li>• The SVO issues slaughterers’ licences under delegated powers (Article4).</li> <li>• The slaughterhouse is supervised by the Superintendent (Article 2).</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• States Veterinary Officer</li> </ul>
<p><b>Waste Management (Jersey) Law 2005</b></p>	<ul style="list-style-type: none"> <li>• A Law to: 1. Control the transboundary shipment of wastes to, from, and through Jersey. 2. Control the movements of hazardous and healthcare wastes in Jersey. 3. Allow for the licensing of waste management facilities and the registration of certain carriers in Jersey.</li> <li>• All administration of – Part 1– INTRODUCTORY PROVISIONS (Articles 1 to 9) Part 2– ADMINISTRATION (Articles 10 to 22) Part 3– WASTE MANAGEMENT WITHIN THE ISLAND</li> <li>• Licensing of Operations (Articles 23 to 37)</li> <li>• Registration of Waste Carriers (Articles 38 to 48)</li> <li>• Internal Movements (Articles 49 to 52)</li> <li>• Other Provisions (Articles 53 to 56).</li> <li>• Part 4– TRANSBOUNDARY MOVEMENTS OF WASTE</li> <li>• Introductory Provisions (Articles 57 to 63)</li> <li>• Export of Waste (Articles 64 to 67)</li> <li>• Import of Waste (Articles 68 to 69)</li> <li>• Waste in Transit (Articles 70 to 71)</li> <li>• Illegal Traffic (Articles 72 to 75)</li> <li>• Other Provisions (Articles 76 to 81)</li> <li>• Part 5– ENFORCEMENT (Articles 82 to 93)</li> <li>• Part 6– OTHER PROVISIONS (Articles 94 to 113)</li> <li>• Any further responsibilities under</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Assistant Director – Environmental Protection</li> <li>• Head of Waste Regulation</li> </ul> <p><i>In addition for enforcement (Part 5)</i></p> <ul style="list-style-type: none"> <li>• Environmental Protection Officers</li> <li>• Environmental Protection Support Officer</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors</li> </ul>



**Water Pollution (Jersey)  
1990**

A Law to provide for the control of pollution in Jersey waters, and the implementing of provisions of the Convention for the Protection of the Marine Environment of the North-East Atlantic; the monitoring and the classification of waters; the setting of quality objectives for classified waters; administrative, regulatory, preventive and remedial measures; and related purposes.

- Delegated powers are requested for the issuance of discharge permits and the publishing of notices and consultation before considering applications relating to Discharge Permits (Article 10).
- Special regard to the issuance of discharge permits will be given relating to high risk substances (Article 19(1)).
- Consideration of Discharge Permits (Article 21).
- Conditions attached to Discharge permits (Article 22).
- Procedure for varying or revoking Discharge Permits (Article 23).
- Procedure for suspension of Discharge Permits (Article 24).
- Consideration of transfer of Discharge permits (Article 25).
- Procedure for notification of decisions relating to Discharge Permits (Article 27; with the exception of (1)(c)).

Delegated powers are requested for the purposes of enforcement (under Article 29) and –

- Access to documents relevant to Law (Article 34).
- Requirement to produce information relating to potentially polluting matter (Article 35).
- Requirement for precautions to be taken to prevent pollution (Article 36).
- Requirement for polluters to eliminate and remediate pollution (Article 37).
- The procedure to be adopted in respect of Articles 36-37 (Article 38).
- Ability of the Department to take remedial action in respect of Articles 36 & 37 (Article 39(1)).
- Transitional provisions in respect of Discharge Permits (Schedule 5).

- Assistant Minister
- Chief Executive Officer
- Director of Environment
- Assistant Director – Environmental Protection

*In addition for enforcement (Article 29)*

- Environmental Protection Officer (5)
- Head of Waste Regulation
- Agricultural – Environmental Specialist
- Environmental Protection Assistant
- Environmental Protection Support Officer
- Head of Fisheries and Marine Resources
- Senior Fisheries Inspector
- Fisheries Officer – Research and Development

<p><b>Water (Jersey) Law 1972</b></p>	<ul style="list-style-type: none"> <li>• Jersey Water must provide 'wholesome water' (Article 9)</li> <li>• Enforcement of standards are performed by officers</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Assistant Director – Environmental Protection</li> </ul> <p><i>For the purposes of enforcement</i></p> <ul style="list-style-type: none"> <li>• Environmental Protection Officer (5)</li> <li>• Environmental Protection Support Officer</li> </ul>
<p><b>Weeds (Jersey) Law 1961</b></p>	<p>A Law to provide for preventing the spreading of injurious weeds.</p> <p>Delegated powers are requested for enforcement activities to prevent the spreading of injurious weeds (Article 2) performed by the Inspectorate</p>	<ul style="list-style-type: none"> <li>• Assistant Minister</li> <li>• Chief Executive Officer</li> <li>• Director of Environment</li> <li>• Director of Environmental Management and Rural Economy</li> </ul> <p><i>*In addition for enforcement</i></p> <ul style="list-style-type: none"> <li>• Assistant Director – Environmental Protection</li> <li>• Head of Agricultural Inspection</li> <li>• Agricultural Inspectors (4)</li> </ul>