
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – ECONOMIC DEVELOPMENT FEBRUARY 2011

**Presented to the States on 9th February 2011
by the Minister for Economic Development**

STATES GREFFE

REPORT

On 27th January 2011, the Minister for Economic Development made a Ministerial Decision delegating certain of his powers under the European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002 (see MD-E-2010-0188, available at www.gov.je). This delegation was made in accordance with Article 28 of the States of Jersey Law 2005.

The specific terms of this delegation, and of other ongoing delegations made by the Minister, were recorded in 2 reports attached to the Ministerial Decision, the relevant contents of which are reproduced below –

Legislation:	<p>European Communities Legislation (Implementation) (Jersey) Law 1996</p> <ul style="list-style-type: none"> • <i>European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002</i>
Delegate:	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of Environment • Director of Environmental Management and Rural Economy • States Veterinary Officer <p><i>Inspectors – For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> • States Veterinary Assistant • Head of Agricultural Inspection • Agricultural Inspectors (4)
Function delegated:	<ul style="list-style-type: none"> • To ensure the correct form and application of prescribed cattle eartags (Regulation 2) • The registration of cattle and recording of movements (Regulation 7) • To provide replacement passports (Regulation 10)
Scope of delegation:	<p>Powers of entry. To inspect cattle, examine and remove records, check unused eartags (Regulation 13). To serve a notice restricting movement from the holding (Regulation 14).</p>

AIRPORT	
Legislation:	Airport Dues (Jersey) Law 1956
Function delegated:	The reduction or waiving of any class of any Airport Dues as set out in the Airport Dues (Tariff) (Jersey) Order 2003.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Airport Director
Legislation:	
	Air Navigation (No. 2) Order 1995, as extended to Jersey with modifications by the Air Navigation (Jersey) Order 2000
Function delegated:	Article 118: to be an "Authorised person" under the Order to act as Airport Director (when deputizing for the Airport Director).
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Airport Director to deputize either: Assistant Operations Director, Airport Finance & Commercial Director, Airport Terminal & Security Manager or Airport Operations Manager.
Legislation:	
	Air Navigation (Jersey) Order 2000
Function delegated:	<p>Article 47. The authority to permit a helicopter to fly with a suspended load.</p> <p>Article 48. The authority to permit the dropping of articles for public health or measurement of weather conditions; surface icing or oil pollution and the dropping of wind drift indicators for parachuting.</p> <p>Article 49. The authority to permit parachute drops.</p> <p>Article 76. The authority to permit the flying of balloons, kites, airships, gliders and parascending parachutes.</p> <p>Article 76A. The authority to permit the flying of small aircraft such as used by the Jersey Model Aero Club, and to keep a register of the aircraft of the Club.</p> <p>Article 90. The authority to grant an exemption for helicopters to fly from or to land at places other than Jersey Airport.</p> <p>Article 116. The authority to exempt from the Air Navigation Order and the Rules of the Air made there under, certain persons, classes of persons, classes of aircraft and certain age groups and other users, such as model aircraft owners, from any of the provisions of the Air Navigation Order other than Articles 72, 102, 103, 104, 105, all of which relate to the powers of the Secretary of State, or Article 117, which relates to the ability to appeal to the Royal Court.</p>

Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Airport Director
Legislation:	Standing Order 168 of the Standing Orders of the States of Jersey
Function delegated:	<p>To make recommendations to the Minister for Treasury and Resources, Assistant Minister or Director of Property Holdings as appropriate, under Standing Order 168 as ‘a body established by the States to manage land and buildings owned by the public of Jersey:</p> <ul style="list-style-type: none"> • Any acquisition or disposal of land or property on behalf of the public for a consideration of less than £150,000; • Any grant or acceptance on behalf of the public of any servitude or right in, on, over or under land by way of gift or for a sum of less than £50,000 or £12,500 a year; • The letting on behalf of the public to any person or body for a term certain of any land or property for a rent payable on commencement of less than £50,000 a year; • The rent on behalf of the public from any person or body for a term certain of any land or property for a rent payable on commencement of less than £50,000 a year; and • The renewal, extension or variation of any lease where the value is less than £50,000 a year. <p>[Note: The approval of construction plans for non-contentious projects for projects below £250k has been delegated to the Accounting Officer under MD-TR-2006-0011.]</p>
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Airport Director
ENTERPRISE AND BUSINESS DEVELOPMENT	
Strategy/Plan:	Enterprise and Business Development Strategy Skills Strategy and Implementation Plan
Function delegated:	<ul style="list-style-type: none"> • Approval of grants in accordance with the Minister approved Enterprise and Business Development Strategy and the Skills Strategy and Implementation Plan. • Authority to enter into annual service level agreements for the provision of services or products required to deliver the Enterprise and Business Development Strategy and the Skills Strategy.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean

Delegated to:	Director of Enterprise & Business Development or, in his absence, the Director of Business Creation & Growth
FINANCE	
Legislation:	Financial Services Commission (Jersey) Law 1998
Function delegated:	Article 6: transfer to the Commission the function of supervising banks and other deposit taking institutions under the Banking Business (Jersey) Law 1991, insurance business under the Insurance Business (Jersey) Law 1996 and collective investment funds and the functionaries of such funds under the Collective Investment Funds (Jersey) Law 1988. In addition, the Article charges the Commission (largely acting through the registrar, a Commission appointee) with administering the Control of Borrowing (Jersey) Law 1947, the Registration of Business Names (Jersey) Law 1956, the Companies (Jersey) Law 1991, the Limited Partnerships (Jersey) Law 1994 and the Limited Liability Partnerships (Jersey) Law 1997.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	The Jersey Financial Services Commission. In practice, much of the manner in which the Commission carries out these responsibilities is set out in the Financial Services (Jersey) Law 1998.
FISHERIES	
Legislation:	Sea Fisheries (Jersey) Law 1994
Function delegated:	<ul style="list-style-type: none"> • To approve applications for exemptions for scientific purposes or the transplanting of fish (Article 5). • To approve conditions to be included in licences (Article 12). • To decide what information is required to be provided by licence/permit holders (Article 12). • Where a licence is suspended or revoked, to decide whether to authorise repayment of the licence fee (Article 13).
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Assistant Minister Chief Executive Officer Director of Environment Head of Fisheries & Marine Resources

Legislation:	Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998
Function delegated:	<ul style="list-style-type: none"> • To decide on applications for exemption from restrictions on Ormers where the applicant wishes to conduct scientific work or transplanting (Regulation 4). • To decide on applications for exemption from need for pot tags where the applicant wishes to conduct scientific work (Regulation 8). • To issue and revoke permits to masters, owners and charterers of fishing boats exempting them from the need for pot tags and to set conditions and time limits for such permits (Regulation 8). • To approve type of pot tag and lost pot tag (Regulation 8). • To set directions for the issue of pot tags and lost pot tags and to determine the year or years for which pot tags and lost pot tags are valid (Regulation 8). • To issue pot tags (Regulation 8). • To issue lost pot tags (Regulation 8).
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	<ul style="list-style-type: none"> • Assistant Minister Chief Executive Officer Director Of Environment Head of Fisheries & Marine Resources • Assistant Minister Chief Executive Officer Director Of Environment Head of Fisheries & Marine Resources • Head of Fisheries & Marine Resources Senior Fisheries Inspector Fisheries Officer (Licensing) • Assistant Minister Chief Executive Officer Director Of Environment Head of Fisheries & Marine Resources • Assistant Minister Chief Executive Officer Director Of Environment Head of Fisheries & Marine Resources • Head of Fisheries & Marine Resources Senior Fisheries Inspector Fisheries Officer (Licensing) • Head of Fisheries & Marine Resources Fishery officers and Fisheries Support Officer

Legislation:	Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001
Function delegated:	To approve exemptions for beach set nets to be set in areas where they would otherwise be prohibited.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Assistant Minister Chief Executive Officer Director of the Environment Head of Fisheries & Marine Resources
Legislation:	Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003
Function delegated:	To authorise the issue of licences and permits (Part 2).
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Assistant Minister Chief Executive Officer Director of the Environment Head of Fisheries & Marine Resources
Legislation:	Sea Fisheries (Underwater Fishing) (Jersey) Regulations 2003
Function delegated:	<ul style="list-style-type: none"> • To authorise certain scientific or transplanting activities (Regulation 2). • To authorise the issuing of permits, fishing periods, and the provision of statistics (Regulation 3).
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Assistant Minister Chief Executive Officer Director of the Environment Head of Fisheries & Marine Resources
Legislation:	Sea Fisheries (Fisheries) (Jersey) Regulations 2010
Function delegated:	<ul style="list-style-type: none"> • To authorise the renewal of licences to farm fish or shellfish that are unchanged from the original licence.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement

Delegated to:	Assistant Minister Chief Executive Officer Director of the Environment Head of Fisheries & Marine Resources
HARBOURS AND SHIPPING	
Legislation:	Harbours (Jersey) Regulations 1962: Part 1 (POWERS OF THE MINISTER), Regulation 1, paragraphs (1)(a), (2)(a) and (3)
Function delegated:	To restrict access to harbours. The delegation does not extend to actions concerning territorial waters.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbour Master/Deputy Harbour Master
HARBOURS AND SHIPPING	
Legislation:	Harbours (Jersey) Regulations 1962: Part 3 (DUTIES OF MASTER AND OWNER)
Function delegated:	Action to be taken under Regulation 7(2) following failure of a Master to carry out directions of the Harbour Master/Deputy Harbour Master requiring movement of a vessel. To conform to agreed Ministerial policies and codes of practice.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbour Master/Deputy Harbour Master
HARBOURS AND SHIPPING	
Legislation:	Harbours (Jersey) Regulations 1962: Part 4 (PROVISIONS GOVERNING SHIPS BRINGING PETROLEUM SPIRIT INTO A HARBOUR) and Part 5 (PROVISIONS GOVERNING THE CONVEYANCE, LOADING AND UNLOADING OF EXPLOSIVES)
Function delegated:	To authorise an officer to discharge the functions of inspection to ascertain whether the requirements of Parts 4 (Regulation 24) and 5 (Regulation 35) of the Regulations are being carried out. Any professional fees required, or provision of facilities, to be within annual budget or agreed contingency budget.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbour Master/Deputy Harbour Master

Legislation:	Harbours (Jersey) Regulations 1962: Part 8 (GENERAL)
Function delegated:	Functions under Regulation 47 (Damage by vessels in harbour) with respect to persons answerable for any damage, and persons liable to make good any such damage, including power to detain a vessel and obtain security for the amount of damage done. Valuation of cost to make good damage to be based on independent professional report.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbour Master/Deputy Harbour Master
Legislation:	Harbours (Jersey) Regulations 1962: Part 8 (GENERAL)
Function delegated:	Giving permission under Regulation 49(1)(a)–(e) and (g) for any of the following – fixing notices; use of vessels as houseboats; use of firearms; public address or performance; soliciting or collecting; lighting fireworks. Any permission given to fall within the scope of any policies or codes of practice approved by the Minister.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbour Chief Executive/Commercial Director
Legislation:	Harbours (Jersey) Regulations 1962: Part 8 (GENERAL)
Function delegated:	Giving permission to engage in any trade or business activity under Regulation 49(1)(f) and the setting of any terms and conditions under Regulation 49(2). Any permission given or withdrawal of such permission to fall within the scope of any policies or codes of practice approved by the Minister. If the trade or business activity involves the use of a harbour facility or the provision of a service then the permission must fall within the scope of any directions or requirements of the Minister made under Regulation 6(3), (4), (8) or (10).
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive/Commercial Director/Director of Finance

Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 1 (PROVISIONS AS TO SURF-RIDING)
Function delegated:	To oversee the registration and insurance procedures and the issue of certificates, concerning surf-riding. Any fees required to be as stated in the Regulation. The design of forms certificates and discs to be determined by the delegate. Cancellation of the certificate to be within the clearly stated procedures of these Regulations.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive/Commercial Director
Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 2 (REGISTRATION OF SAIL BOARDS)
Function delegated:	To oversee the registration and insurance procedures and the issue of certificates, concerning sail boards. Any fees required to be as stated in the Regulation. The design of forms, certificates and discs to be determined by the delegate. Cancellation of the certificate to be within the clearly stated procedures of these Regulations.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive/Commercial Director
Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 3 (REGISTRATION OF BOATS)
Function delegated:	To oversee the registration procedures and issue of certificates of registration for boats. Any fees required to be as stated in the Regulation. The design of forms and certificates to be determined by the delegate.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive/Commercial Director
Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 4 (CONTROL OF BOATS PLYING FOR HIRE)
Function delegated:	For boats to ply for hire (except where operating from the beach). To grant a licence (Regulations 14 and 15) and to revoke, suspend or vary a licence (Regulations 16 and 17).

Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive
Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 5 (CONTROL OF PASSENGER BOATS PLYING FOR HIRE BETWEEN PLACES IN JERSEY)
Function delegated:	For passenger boats to ply for hire between places in the Island: to grant a licence (Regulations 25 and 26) and to revoke, suspend, vary or refuse a licence (Regulations 27 and 28). Any fees required to be as stated in the Regulation. The design of forms and licences to be determined by the delegate. Any revocation, suspension or variation of the licence to be within the clearly stated procedures of these Regulations and with due regard to the advice of the Harbour Master/Deputy Harbour Master.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive
Legislation:	Boats and Surf-Riding (Control) (Jersey) Regulations 1969: Part 6 (REGISTRATION AND MARKING OF SPEED BOATS)
Function delegated:	To oversee the registration and marking of speed boats and to issue the relevant certificate of registration (Regulations 32, 33 and 34). To ensure compliance with the insurance obligations of the owner (Regulation 35). Any fees required to be as stated in the Regulation. The design of forms to be determined by the delegate. Cancellation of the certificate to be within the clearly stated procedures of these Regulations.
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Harbours Chief Executive/Commercial Director
Legislation:	Shipping (Tonnage) (Jersey) Regulations 2004
Function delegated:	To appoint appropriately qualified, authorized measurers and surveyors, as defines in Regulation 1. The Registrar shall only appoint Measurers and Surveyors for the purpose of their function under the Tonnage Regulations.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Registrar of Shipping

Legislation:	Shipping (Fishing Vessels – Safety Training) (Jersey) Order 2004
Function delegated:	To grant exemptions from the requirement for safety training under Article 4. Exemption may apply to fishermen operating vessels under 6 metres in length and where they have attended the approved alternative training. Temporary exemptions for those who have not attended any approved training must be time-limited and dependent on there being on-board safety and emergency briefings.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Harbour Master/Deputy Harbour Master
Legislation:	Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005: Article 1(2)(j), regarding UK Regulation 11
Function delegated:	To issue a Passenger Certificate in accordance with the associated UK Regulation 11(a) and recognise equivalent UK certification in accordance with the associated UK Regulation 11(b). The Harbour Master/Deputy Harbour Master shall only issue and recognise certificates where the appropriate survey or surveys have been satisfactorily completed.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Harbour Master/Deputy Harbour Master
Legislation:	Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005: Article 1(2)(q) regarding UK Regulation 19
Function delegated:	To cancel a certificate issued to a Jersey ship in accordance with the associated UK Regulation 19(1) and to require the surrender of such a certificate in accordance with the associated UK Regulation 19(2). The Harbour Master/Deputy Harbour Master shall only cancel or require surrender of such certificates where the certificate was issued on false or erroneous information or since any survey required by the associated Regulations, the structure, equipment or machinery has sustained damage or is otherwise deficient.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Harbour Master/Deputy Harbour Master

Legislation:	Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005: Article 1(2)(e) and (r) regarding UK Regulations 2 and 21
Function delegated:	To exempt individual ships from the SOLAS Convention requirements specified under associated UK Regulation 21 as amended by the Jersey Order. Such exemptions are to be temporary in nature and The Minister is to be informed at the earliest opportunity. The Harbour Master/Deputy Harbour Master shall only act if he has also kept the Compliance Manager informed in accordance with the MoU between Regulatory Services and Jersey Harbours.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Harbour Master/Deputy Harbour Master
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Legislation:	Shipping (Survey and Certification) (No. 2) (Jersey) Order 2005: Article 2(2)(m) regarding UK Regulation 8
Function delegated:	To exempt, alter and cancel exemptions concerning classes of ships or individual ships in accordance with the associated UK Regulation 8. The Harbour Master/Deputy Harbour Master shall only act if he has also kept the Maritime Compliance Manager informed, in accordance with the MOU between Regulatory Services and Jersey Harbours.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Harbour Master/Deputy Harbour Master
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Legislation:	Shipping (Safety Codes) (Jersey) Order 2005: Article 5
Function delegated:	To accept equivalencies. The Registrar shall only accept equivalencies on having taken advice from professional surveyors appropriately appointed to oversee the Jersey Code of Practice as defined in Article 3 of the Order.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Registrar of Shipping
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Legislation:	Shipping (Safety Codes) (Jersey) Order 2005: Article 6
Function delegated:	To grant exemptions. The Registrar shall only grant exemptions on having taken advice from professional surveyors appropriately appointed to oversee the Jersey Code of Practice as defined in Article 3 of the Order.

Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Registrar of Shipping
Legislation:	Standing Order 168 of the Standing Orders of the States of Jersey
Function delegated:	To make recommendations to the Minister for Treasury and Resources, Assistant Minister or Director of Property Holdings as appropriate, under Standing Order 168 as 'a body established by the States to manage land and buildings owned by the public of Jersey: <ul style="list-style-type: none"> Any acquisition or disposal of land or property on behalf of the public for a consideration of less than £150,000 [Note: The approval of construction plans for non-contentious projects for projects below £250k has been delegated to the Accounting Officer under MD-TR-2006-0011.]
Minister or Assistant Minister with political responsibility for function:	Senator P.F. Routier
Delegated to:	Jersey Harbours Chief Executive
REGULATORY SERVICES	
Legislation:	Gambling (Gaming and Lotteries) (Jersey) Regulations 1965: Part IIA, Regulation 8J
Function delegated:	The granting, renewal, cancellation and transfer of licences. Applicants must already be in possession of a bookmaker's licence and have undergone a 'fit and proper person' test, the application must be in the correct form and accompanied by the requisite fee.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Licensing and Regulation Manager/Director of Regulatory Services/ Legal & Intelligence Manager/Technical & Compliance Manager
Legislation:	Gambling (Licensing Provisions) (Jersey) Regulations 1965
Function delegated:	In pursuance of paragraph (13) of Regulation 6 of the Regulations, the authority to approve the appointment of a person to act as manager of a licensed betting or credit betting office, on the condition that the person was fit and proper to carry on the licence, subject to appropriate background reports.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Licensing and Regulation Manager/Director of Regulatory Services/ Legal & Intelligence Manager/Technical & Compliance Manager

Legislation:	Gambling (Licensing Provisions) (Jersey) Regulations 1965: Regulation 6
Function delegated:	In accordance with paragraph (15), to approve the appointment of an officer where a body corporate is the holder of a licence. In accordance with paragraph (16), to approve any change to the layout of the premises to which a current amusement premises licence, track licence or betting office licence (other than a credit betting office licence) relates, which affects the means of access thereto.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Licensing and Regulation Manager/Director of Regulatory Services/Legal & Intelligence Manager/Technical & Compliance Manager
Legislation:	Gambling (Channel Islands Lottery) (Jersey) Regulations 1975: Regulation 9
Function delegated:	To approve the signing of lottery contracts issued to Main Agents for each lottery game or draw.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Regulation and Licensing Manager/Director of Regulatory Services/Legal & Intelligence Manager/Technical & Compliance Manager
Legislation:	Tourism (Jersey) Law 1948
Function delegated:	Approval of Registrations where all required standards are met. Approval of Transfers and Managements where all requirements are met.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Director of Regulatory Services or Hospitality & Leisure Manager, in her absence, the Director of Enterprise & Business Development of the Economic Development Department
Legislation:	Licensing (Jersey) Law 1974
Function delegated:	Attend at all Assemblies on behalf of the Minister and answer on any matter the Assembly requests. The Assembly will not grant any application regarding Tourism registered premises unless the Minister has previously approved all matters.

Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Director of Regulatory Services or Hospitality & Leisure Manager or, in her absence, the Director of Enterprise & Business Development of the Economic Development Department
Legislation:	Places of Refreshment (Jersey) Law 1967
Function delegated:	Approval of all Registrations where all required standards are met. Approval of Transfers and Managements where all requirements are met.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Director of Regulatory Services or Hospitality & Leisure Manager or, in her absence, the Director of Enterprise & Business Development of the Economic Development Department
Legislation:	Policing of Beaches (Jersey) Regulations 1959
Function delegated:	Approval of any element within the legislation where requirements are met. (Note: in the past, 2 members of the Committee were asked to oversee the approval of new Concessionaires so that the process is transparent.)
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Director of Regulatory Services or Hospitality & Leisure Manager or, in her absence, the Director of Enterprise & Business Development of the Economic Development Department
Legislation:	Shipping (Tonnage) (Jersey) Regulations 2004
Function delegated:	To appoint appropriately qualified authorized measurers and surveyors, as defined in Regulation 1. The Registrar shall only appoint the said measurers and surveyors for the purpose of their functions under the Tonnage Regulations.
Minister or Assistant Minister with political responsibility for function:	Senator A.J.H. Maclean
Delegated to:	Registrar of Shipping

REGULATION OF UNDERTAKINGS	
Legislation:	Regulation of Undertakings and Development (Jersey) Law 1973
Function delegated:	Article 5 – to determine the form of application and contain or be accompanied by such particulars as the Minister may require.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Director, Population Office or Senior Manager, Business Assessment and Licensing
REGULATION OF UNDERTAKINGS	
Legislation:	Regulation of Undertakings and Development (Jersey) Law 1973
Function delegated:	<p>Article 6(1) – to grant a licence either unconditionally or subject to such conditions as considered appropriate or, refuse to grant a licence.</p> <p>Article 6(2) – in deciding whether to grant a licence, to impose conditions, or to refuse to grant a licence to have regard to –</p> <ul style="list-style-type: none"> (a) to the need to regulate and manage demand on the resources of Jersey, and to protect the integrity of Jersey in commercial and financial matters; and (b) to the provisions of the Competition (Jersey) Law 2005 and to the decisions and directions of the Jersey Competition Regulatory Authority made or given under that Law. <p>Article 6(4) – to state in writing the reasons for a decision that refused a licence or attached any condition to that licence.</p> <p>Article 6(5)&(6) – to revoke a licence if satisfied that –</p> <ul style="list-style-type: none"> (a) any information furnished in connection with the application for the licence was false or misleading in a material particular; or (b) there has been a failure to comply with any condition subject to which the licence was granted. <p>A licence shall not be revoked unless not less than 14 days’ notice has been given in writing of the intention so to do and a statement in writing of the reasons for so doing.</p> <p>The delegations as outlined above will only be exercised where the licence relates to 15 or less permanent locally qualified members of staff, and/or, 5 or less permanent non locally qualified staff, as these terms are defined in the published “General Statement of Policy (2008) in relation to: Regulation of Undertakings and Development (Jersey) Law (‘RUDL’)”.</p> <p>The delegations as outlined above will normally only be exercised in accordance with the published practise note: “Practise Note: Delegated Decisions – Regulation of Undertakings and Development (Jersey) Law (‘RUDL’)”.</p>

Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Chief Officer, Economic Development Department, Director, Population Office, or, other Population Office Officer as instructed by the Director, Population Office, in accordance with internal guidance
Legislation:	
	Regulation of Undertakings and Development (Jersey) Law 1973
Function delegated:	Article 9(1) – to authorise any persons – at all reasonable times, on the production if so required of evidence of the person’s authority, enter on any land and make such enquiries, take such measurements and require the production of such documents, as the person thinks necessary in order to ensure that the provisions of this Law are being complied with.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Director, Population Office or, Senior Manager Business Assessment and Licensing
Legislation:	
	Hawkers and Non-Resident Traders (Jersey) Law 1965
Function delegated:	To grant, register, revoke, suspend, and vary a licence, and to appoint other authorities, and publish as such, as required under the Law.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	The Parish of St. Helier carries out this function on behalf of the Minister.
RURAL	
Legislation:	Agricultural Returns (Jersey) Law 1947
Function delegated:	The collecting and collating of agriculture and fisheries statistics.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Director of the Environment or Assistant Director Environmental Management and Rural Economy
Legislation:	
	Agriculture (Loans and Guarantees) (Jersey) Law 1974 <i>Subordinate legislation</i> Agriculture (Loans) (Jersey) Regulations 1974
Function delegated:	Applications for new loans and deferments, and general administration of the Scheme is carried out at Officer level (Rural Economy and Treasury and Resources).

	The Agriculture Loans Board does not now exist but recommendations could be made to Minister from the Director of the Rural Economy. This would only be for deferments as the scheme is no longer available for new loans.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	The Finance Director is delegated to take appropriate action with borrowers who are in arrears with repayments. The Minister will continue to consider cases only where a formal decision is required to give the Law Officers instructions to carry out certain functions, i.e. registering of new loans, changes in security and legal action.
Legislation:	Agricultural Marketing (Jersey) Law 1953 <i>Subordinate legislation</i> Milk Marketing Scheme (Approval) (Jersey) Act 1954 Milk Marketing (Registration of Producers) (Jersey) Order 1954 Milk Marketing (Polls) (Jersey) Order 1954 Jersey Potato Export Marketing Scheme 2001 (Approval) (Jersey) Act 2001 Jersey Potato Export Marketing (Registration of Producers) (Jersey) Order 2001 Jersey Potato Export Marketing (Polls) (Jersey) Order 2002
Function delegated:	Administration of all subordinate legislation.
Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	Director of the Environment or Assistant Director Environmental Management and Rural Economy
Legislation:	European Communities Legislation (Implementation) (Jersey) Law 1996 <i>Subordinate legislation</i> European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002
Function delegated:	<ul style="list-style-type: none"> • To ensure the correct form and application of prescribed cattle eartags (Regulation 2). • The registration of cattle and recording of movements (Regulation 7). • To provide replacement passports (Regulation 10). • Powers of entry. To inspect cattle, examine and remove records, check unused eartags (Regulation 13). To serve a notice restricting movement from the holding (Regulation 14).

Minister or Assistant Minister with political responsibility for function:	Connétable L. Norman of St. Clement
Delegated to:	<ul style="list-style-type: none"> • Assistant Minister • Chief Executive Officer • Director of Environment • Director of Environmental Management and Rural Economy • States Veterinary Officer <p><i>Inspectors – For the purposes of enforcement/inspection</i></p> <ul style="list-style-type: none"> • States Veterinary Assistant • Head of Agricultural Inspection • Agricultural Inspectors (4)