
STATES OF JERSEY



STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – NON-CONTENTIOUS BUDGET TRANSFERS

Presented to the States on 29th November 2011
by the Chief Minister

STATES GREFFE

REPORT

On 28th November 2011, the Chief Minister made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-C-2011-0137, available at www.gov.je).

The terms of the delegations, and the legislation under which those delegations were made, were recorded in a Report attached to the Ministerial Decision, as shown below –

Article 28 of the States of Jersey Law 2005 permits a Minister to delegate, wholly or partly, functions to an Assistant Minister or an officer.

The Law states –

“28 Power of Minister to delegate functions

- (1) A Minister may 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, to –
 - (a) one of his or her Assistant Ministers;
 - (b) an officer.
- (2) A Minister shall not delegate –
 - (a) any power to make an enactment;
 - (b) any power to decide an appeal under an enactment;
 - (c) any function the delegation of which is prohibited by an enactment.
- (3) The delegation of functions by a Minister under this Article shall not prevent the Minister exercising those functions personally.”.

Delegation

The Chief Minister, acting in accordance with Article 28 of the States of Jersey Law 2005, has agreed to delegate the following functions –

Legislation:	Public Finances (Jersey) Law 2005 – Financial Direction 3.6 – variations to Heads of Expenditure
Delegate:	Accounting Officer of the Chief Minister’s Department
Function delegated:	Approval of non-contentious budget transfers of up to £200,000
Scope of delegation:	Up to £200,000 for non-contentious budget transfers
Reason for delegation:	To reduce the undue administrative burden on the Chief Minister through the Ministerial Decision process