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# STATES OF JERSEY



## STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – HOME AFFAIRS – DECEMBER 2011 REVISED DELEGATIONS

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Presented to the States on 12th December 2011  
by the Minister for Home Affairs

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STATES GREFFE

## REPORT

On 7th December 2011, the Minister for Home Affairs made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-HA-2011-0091, available at [www.gov.je](http://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 –

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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, *inter alia* –

### “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

In case of his absence or unavailability due to illness, and in accordance with Article 28 of the States of Jersey Law 2005, the Minister for Home Affairs, Senator B.I. Le Marquand, therefore delegates his powers and functions, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Senator L.J. Farnham.