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# STATES OF JERSEY



## **NOTICE UNDER ARTICLE 29A(3) OF THE STATES OF JERSEY LAW 2005: STATES OF JERSEY (MINISTER FOR INTERNATIONAL DEVELOPMENT AND MINISTER FOR CHILDREN AND HOUSING) (JERSEY) ORDER 2018**

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**Presented to the States on 5th July 2018  
by the Chief Minister**

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**STATES GREFFE**

## REPORT

### Introduction

This draft Order establishes a Minister for International Development and renames the Minister for Housing as the Minister for Children and Housing. The Order will be made under the new [Article 29A of the States of Jersey Law 2005](#) (the “2005 Law”), which allows the Chief Minister to:

- establish and abolish Ministers;
- determine the name by which an existing Minister is described;
- make provision relating to a Minister’s responsibilities and functions (including their transfer from one Minister to another).

The new Article of the 2005 Law states that the Order may include consequential provisions as required for the purpose of giving full effect to the Order.

### Minister for International Development

In his nomination statement for the office of Chief Minister, Senator J.A.N. Le Fondré recognised Jersey’s expanding international profile, and specifically referenced the work of the Jersey Overseas Aid Commission under the leadership of the Deputy of Grouville. Senator Le Fondré agreed that Jersey’s Overseas Aid work should be enhanced and expanded and, to this end, proposed the establishment of a Minister for ‘International Relations’ to ensure that the role had the appropriate status and credibility, especially when interacting with other countries.

Senator Le Fondré again made reference to this role when answering questions in response to his nomination speech on 4th June, and confirmed that it was his intention to support the appointment of the Deputy of Grouville to the post in order to build on her work as Chairman of the Jersey Overseas Aid Commission.

In view of the intention for the role to enhance the work of the Chairman, and following discussions with ministerial colleagues, the Chief Minister agreed that a more appropriate title for the role is ‘Minister for International Development’. Accordingly, the Chairman will serve concurrently as the Minister for International Development, or *vice versa*.

In conjunction with the Commission, the Minister will be responsible for policy on promoting economic and social development in developing countries, and on humanitarian aid overseas.

This move brings Jersey into line with a number of EU and OECD countries, and sends a strong signal about the Island’s role as a credible, outward-looking, responsible international actor and a long-term force for good in the world.

The creation of a Minister for International Development will also increase the accountability of Jersey’s aid programme to the States Assembly, and ensure that it is well co-ordinated with our other international work in trade, culture, diplomacy and the arts.

Importantly, the constitution and structure of the Jersey Overseas Aid Commission as an ‘Arm’s Length Body’ will remain the same. This ensures the ongoing independence and effectiveness of the Commission.

### **Minister for Children and Housing**

When answering questions in response to his nomination speech on 4th June, the Chief Minister also made reference to his intention for Senator S.Y. Mézec to become Minister for Children.

The Order renames the Minister for Housing as the Minister for Children and Housing and makes the Minister responsible for promoting the well-being of children, in addition to the responsibilities of the Minister relating to housing, which are unaffected.

### **Future legislative and policy responsibilities**

Any additional legislative functions conferred upon either (or any) Minister will require a further Order of the Chief Minister. The transfer of policy responsibilities will be made, when appropriate and as required, by a Ministerial Decision of the Chief Minister. The Deputy of Grouville's current interim role as an Assistant Chief Minister will be reviewed upon her appointment as Minister for International Development.

### **Next steps**

In accordance with Article 29A(3) of the 2005 Law, the Chief Minister is required to give at least 2 weeks' notice to the States Assembly before making this Order; and hereby gives the required notice by presentation of this Report, with the draft Order, to the States.





Jersey

## STATES OF JERSEY (MINISTER FOR INTERNATIONAL DEVELOPMENT AND MINISTER FOR CHILDREN AND HOUSING) (JERSEY) ORDER 201-

### Explanatory Note

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This Order establishes a Minister for International Development and renames the Minister for Housing as the Minister for Children and Housing.

**Part 1** makes provision for the Minister for International Development.

*Article 1* is an interpretation provision. “Commission” refers to the Jersey Overseas Aid Commission established under the Jersey Overseas Aid Commission (Jersey) Law 2005 and “Chairman” refers to the Chairman of that Commission.

*Article 2* establishes the new office of Minister for International Development.

*Article 3* sets out the responsibilities of the Minister. In conjunction with the Commission, the Minister is responsible for policy on promoting economic and social development in developing countries and for policy on humanitarian aid overseas.

*Article 4* provides that a person who is appointed Minister automatically becomes the Chairman of the Commission and, where no Minister has been appointed, Chairman automatically becomes the Minister.

*Article 5* amends the Standing Orders of the States of Jersey to add the “International Development” as a ministerial office.

*Article 6* amends the Commission’s constitution set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005 so that the provisions relating to termination of the office of a member of the Commission do not apply to the Chairman. As the Chairman is the Minister for International Development, the provisions in the States of Jersey Law 2005 and the Standing Orders of the States of Jersey that relate to termination of appointment as Minister will apply instead.

*Article 4* makes provision so that a person who ceases to be Minister automatically cease to be the Chairman also.

**Part 2** of the Order makes provision relating to the renaming of the Minister for Housing.

*Article 7* renames the Minister for Housing as the Minister for Children and Housing and provides for the Minister to be responsible for promoting the well-being of children. The Minister’s responsibilities relating to housing are unaffected.

*Article 8* makes consequential amendments to enactments which refer to the Minister for Housing by substituting the new name of the Minister.

**Part 3** is the closing provision. *Article 9* sets out the title of the Order and provides for it to come into force on the day after the day it is made.



Jersey

**STATES OF JERSEY (MINISTER FOR  
INTERNATIONAL DEVELOPMENT AND  
MINISTER FOR CHILDREN AND HOUSING)  
(JERSEY) ORDER 201-**

**Arrangement**

**Article**

<b>PART 1</b>	<b>9</b>
<hr/>	
MINISTER FOR INTERNATIONAL DEVELOPMENT	9
1 Interpretation .....	9
2 Minister for International Development.....	9
3 Responsibilities of Minister for International Development .....	9
4 Minister for International Development and Chairman of Commission .....	10
5 Standing Orders of the States of Jersey amended .....	10
6 Jersey Overseas Aid Commission (Jersey) Law 2005 amended .....	10
<b>PART 2</b>	<b>10</b>
<hr/>	
MINISTER FOR CHILDREN AND HOUSING	10
7 Renaming of Minister for Housing .....	10
8 Enactments amended.....	10
<b>PART 3</b>	<b>11</b>
<hr/>	
CLOSING	11
9 Citation and commencement.....	11







Jersey

**STATES OF JERSEY (MINISTER FOR  
INTERNATIONAL DEVELOPMENT AND  
MINISTER FOR CHILDREN AND HOUSING)  
(JERSEY) ORDER 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE CHIEF MINISTER**, in pursuance of Article 29A of the States of Jersey Law 2005<sup>1</sup>, orders as follows –

**PART 1**

**MINISTER FOR INTERNATIONAL DEVELOPMENT**

**1 Interpretation**

In this Part –

“Chairman” means Chairman of the Commission;

“Commission” means the Jersey Overseas Aid Commission established under the Jersey Overseas Aid Commission (Jersey) Law 2005<sup>2</sup>.

**2 Minister for International Development**

There is established a Minister for International Development.

**3 Responsibilities of Minister for International Development**

The Minister for International Development, in conjunction with the Commission, is responsible for policy on –

- (a) promoting economic and social development in developing countries; and
- (b) humanitarian aid overseas.

**4 Minister for International Development and Chairman of Commission**

- (1) If a person is appointed as the Minister for International Development he or she is the Chairman.
- (2) Where no person has been appointed as Minister for International Development or that office is otherwise vacant, the Chairman is the Minister for International Development.
- (3) Any statutory provision relating to the appointment of the Chairman is disregarded if a person becomes the Chairman under paragraph (1).
- (4) Any statutory provision relating to the appointment of a Minister is disregarded if a person becomes the Minister under paragraph (2).
- (5) If a person ceases to be the Minister for International Development for any reason, he or she ceases to be the Chairman.

**5 Standing Orders of the States of Jersey amended**

In standing order 117(1) of the Standing Orders of the States of Jersey<sup>3</sup> (Ministers: selection process) after “Infrastructure” there is inserted “International Development”.

**6 Jersey Overseas Aid Commission (Jersey) Law 2005 amended**

In Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005<sup>4</sup> –

- (a) before clause 6.1 (Vacancy in office of Commissioner) there is inserted –  
“(6.A1) Clauses 6.1 and 6.4 do not apply to the expiration of the Chairman’s term of office.”.
- (b) clause 6.2 is deleted.

**PART 2****MINISTER FOR CHILDREN AND HOUSING****7 Renaming of Minister for Housing**

- (1) The Minister for Housing is renamed the “Minister for Children and Housing” and the responsibilities of that Minister relating to housing are unaffected.
- (2) The Minister for Children and Housing is also responsible for promoting the well-being of children.

**8 Enactments amended**

- (1) In standing order 117(1)<sup>5</sup> (Ministers: selection process) –
  - (a) before “Economic Development, Tourism, Sport and Culture” there is inserted “Children and Housing”;
  - (b) after “Home Affairs” there is deleted “Housing”.

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- (2) In the following provisions for “Minister for Housing” there is substituted “Minster for Children and Housing” –
- (a) Article 1 of the Building Loans (Jersey) Law 1950<sup>6</sup>;
  - (b) Schedule 1 (in each place it appears) and clause 1 (Interpretation) of Schedule 2 to the Building Loans (Miscellaneous Provisions) (Jersey) Regulations 1961<sup>7</sup>;
  - (c) Article 48(3) of the Control of Housing and Work (Jersey) Law 2012<sup>8</sup>;
  - (d) Article 1(1) of the Dwelling-Houses (Rent Control) (Jersey) Law 1946<sup>9</sup>;
  - (e) paragraph (a) of the definition of “social housing” in Regulation 1 of the Income Support (Jersey) Regulations 2007<sup>10</sup>;
  - (f) Article 1 of the Lodging Houses (Registration) (Jersey) Law 1962<sup>11</sup>;
  - (g) Article 1(1) of the Motor Vehicle Registration (Jersey) Law 1993<sup>12</sup>;
  - (h) in the definition of “road” in Regulation 1(1) of the Petroleum-Spirit (Carriage by Road) (Jersey) Regulations 2001<sup>13</sup>;
  - (i) in the definition of “road” in Regulation 1 of the Petroleum-Spirit (Storage) (Jersey) Regulations 2001<sup>14</sup>;
  - (j) Article 1(1) of the Residential Tenancy (Jersey) Law 2011<sup>15</sup>;
  - (k) in the definition of “road” in Article 1(1) of the Road Traffic (Jersey) Law 1956<sup>16</sup>;
  - (l) paragraph (b) in the definition of “Ministers” in Article 28 of the Sex Offenders (Jersey) Law 2010<sup>17</sup>;
  - (m) Article 1(2) of the States of Jersey (Proper Addresses for Ministers) (Jersey) Order 2014<sup>18</sup>;
  - (n) Article 1(2) in the definition of “street” in the Statutory Nuisances (Jersey) Law 1999<sup>19</sup>.

### **PART 3**

#### **CLOSING**

#### **9 Citation and commencement**

This Order may be cited as the States of Jersey (Minister for International Development and Minister for Children and Housing) (Jersey) Order 201- and comes into force on the day after the day it is made.

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- 1 *chapter 16.800*
  - 2 *chapter 16.340*
  - 3 *chapter 16.800.15*
  - 4 *chapter 16.340*
  - 5 *chapter 16.800.15*
  - 6 *chapter 24.090*
  - 7 *chapter 24.090.30*
  - 8 *chapter 18.150*
  - 9 *chapter 18.270*
  - 10 *chapter 26.550.30*
  - 11 *chapter 05.450*
  - 12 *chapter 25.350*
  - 13 *chapter 27.400.50*
  - 14 *chapter 27.400.75*
  - 15 *chapter 18.270*
  - 16 *chapter 25.550*
  - 17 *chapter 23.815*
  - 18 *chapter 16.800.27*
  - 19 *chapter 22.900*