



Jersey

**STATES OF JERSEY (TRANSFER OF
FUNCTIONS No. 2) (PLANNING AND
ENVIRONMENT TO ECONOMIC
DEVELOPMENT) (JERSEY)
REGULATIONS 2006**

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STATES OF JERSEY (TRANSFER OF FUNCTIONS No. 2) (PLANNING AND ENVIRONMENT TO ECONOMIC DEVELOPMENT) (JERSEY) REGULATIONS 2006

Arrangement

Regulation

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THE STATES, in pursuance of Article 29 of the States of Jersey Law 2005¹,
have made the following Regulations –

Commencement [[see endnotes](#)]

1 Interpretation

In these Regulations –

“receiving Minister” means the Minister for Economic Development;

“transferring Minister” means the Minister for Planning and Environment.

2 Functions and connected rights and liabilities transferred

(1) There shall be transferred to the receiving Minister the functions of the transferring Minister under the following enactments and any subordinate legislation made under them –

(a) the Sea Fisheries (Jersey) Law 1994²;

(b) the Fish Health (Jersey) Regulations 1999³.

(2) There shall be transferred to the receiving Minister the functions of the transferring Minister under the following Acts of the United Kingdom as extended to Jersey –

(a) the Sea Fish (Conservation) Act 1967 of the United Kingdom –

(i) as extended to Jersey by the Sea Fish (Conservation) (Channel Islands) Order 1981⁴, as that Order is amended by the Sea Fish (Conservation) (Channel Islands) (Amendment) Order 2001⁵, and

- (ii) as amended by the Sea Fisheries Act 1968 of the United Kingdom, as extended to Jersey by the Sea Fisheries (Channel Islands) Order 1973⁶;
- (b) the Sea Fisheries Act 1968 of the United Kingdom, as extended to Jersey by the Sea Fisheries (Channel Islands) Order 1973.
- (3) All rights enjoyed and liabilities incurred by the transferring Minister in connection with the functions transferred by paragraphs (1) and (2) shall be transferred to the receiving Minister and become the rights and liabilities of the receiving Minister.
- (4) A provision of a contract or other instrument that specifies that a right or liability of the transferring Minister is incapable of transfer shall, to the extent that it applies to a right or liability transferred by paragraph (3), be of no effect.
- (5) The operation of paragraph (3) shall not be regarded –
 - (a) as a breach of contract or confidence or otherwise as a civil wrong;
 - (b) as a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of rights or liabilities; or
 - (c) as giving rise to any remedy by a party to a contract or other instrument, as an event of default under any contract or other instrument or as causing or permitting the termination of any contract or other instrument, or of any obligation or relationship.

3 Transitional provisions

- (1) The transfers effected by Regulation 2 shall not prejudice the operation of any appointment, approval, authorization, consent, delegation, determination, direction, instruction, requirement or other thing that is, before these Regulations come into force, made, given or done by the transferring Minister in relation to the functions, rights and liabilities so transferred, but such matter shall, if then in force, continue in force to the like extent and subject to the like provisions as if it had been duly made, given or done by the receiving Minister.
- (2) Anything commenced before these Regulations comes into force by or under the authority of the transferring Minister may, so far as it relates to any of the functions, rights and liabilities transferred by Regulation 2, be carried on and completed by or under the authority of the receiving Minister.
- (3) Where, at the coming into force of these Regulations, any legal proceeding is pending to which the transferring Minister is a party and the proceeding has reference to any of the functions, rights and liabilities transferred by Regulation 2, the receiving Minister shall be substituted in the proceeding for the transferring Minister and the proceeding shall not abate by reason of the substitution.

4 Citation

These Regulations may be cited as the States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development) (Jersey) Regulations 2006.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development) (Jersey) Regulations 2006	R&O.137/2006	13 December 2006

Table of Renumbered Provisions

Original	Current
3	Spent, omitted
4	3
5	4
Schedule	Spent, omitted

Table of Endnote References

¹	<i>chapter 16.800</i>
²	<i>chapter 14.825</i>
³	<i>chapter 17.245.70</i>
⁴	<i>chapter 14.600</i>
⁵	<i>chapter 14.675</i>
⁶	<i>chapter 14.750</i>