



Jersey

STATES OF JERSEY (TRANSFER OF FUNCTIONS No. 6) (ECONOMIC DEVELOPMENT AND TREASURY AND RESOURCES TO CHIEF MINISTER) (JERSEY) REGULATIONS 2013

Arrangement

Regulation

1	Interpretation.....	3
2	Functions of Minister for Economic Development transferred	3
3	Functions of Minister for Treasury and Resources transferred	3
4	Connected rights and liabilities transferred	3
5	Transitional provisions.....	4
6	Citation and commencement.....	4

SCHEDULE 1 **5**

ENACTMENTS AMENDED – MINISTER FOR ECONOMIC DEVELOPMENT	5
---	---

SCHEDULE 2 **6**

ENACTMENTS AMENDED – MINISTER FOR TREASURY AND RESOURCES	6	
1	Proceeds of Crime (Jersey) Law 1999 amended.....	6
2	Money Laundering (Jersey) Order 2008 amended	6



Jersey

**STATES OF JERSEY (TRANSFER OF FUNCTIONS
No. 6) (ECONOMIC DEVELOPMENT AND
TREASURY AND RESOURCES TO CHIEF
MINISTER) (JERSEY) REGULATIONS 2013**

Made

18th July 2013

Coming into force

19th July 2013

THE STATES, in pursuance of Articles 29 and 50 of the States of Jersey Law 2005¹, have made the following Regulations –

1 Interpretation

In these Regulations –

“receiving Minister” means the Chief Minister;

“transferring Minister” means the Minister for Economic Development or the Minister for Treasury and Resources.

2 Functions of Minister for Economic Development transferred

There shall be transferred to the receiving Minister the functions of the Minister for Economic Development under the enactments referred to in Schedule 1.

3 Functions of Minister for Treasury and Resources transferred

There shall be transferred to the receiving Minister the functions of the Minister for Treasury and Resources under the enactments referred to in Schedule 2.

4 Connected rights and liabilities transferred

- (1) All rights enjoyed and liabilities incurred by a transferring Minister in connection with the functions transferred by Regulation 2 or 3 shall be transferred to the receiving Minister and become the rights and liabilities of the receiving Minister.

-
- (2) A provision of a contract or other instrument that specifies that a right or liability of a transferring Minister is incapable of transfer shall, to the extent that it applies to a right or liability transferred by paragraph (1), be of no effect.
 - (3) The operation of paragraph (1) 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.

5 Transitional provisions

- (1) A transfer effected by Regulation 2 or 3 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 a 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 come into force, by or under the authority of a transferring Minister may, so far as it relates to any of the functions, rights and liabilities transferred by Regulations 2, 3 and 4, 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 a transferring Minister is a party and the proceeding has reference to any of the functions, rights and liabilities transferred by Regulations 2, 3 and 4, the receiving Minister shall be substituted in the proceeding for the transferring Minister and the proceeding shall not abate by reason of the substitution.

6 Citation and commencement

These Regulations may be cited as the States of Jersey (Transfer of Functions No. 6) (Economic Development and Treasury and Resources to Chief Minister) (Jersey) Regulations 2013 and shall come into force on the day after the day they are made.

A.H. HARRIS

Deputy Greffier of the States

SCHEDULE 1

(Regulation 2)

**ENACTMENTS AMENDED – MINISTER FOR ECONOMIC
DEVELOPMENT**

In the following enactments, and in any subordinate enactment made under any of the following enactments, for each reference to the Minister for Economic Development or to the Minister of Economic Development there shall be substituted a reference to the Chief Minister –

- (a) Bankruptcy (Désastre) (Jersey) Law 1990²;
- (b) Money Laundering (Jersey) Order 2008³;
- (c) Proceeds of Crime (Supervisory Bodies) (Jersey) Law 2008⁴;
- (d) Banking Business (Jersey) Law 1991⁵;
- (e) Collective Investment Funds (Jersey) Law 1988⁶;
- (f) Collective Investment Funds (Amendment and Validation) (Jersey) Law 2012⁷;
- (g) Companies (Jersey) Law 1991⁸;
- (h) Companies (Takeovers and Mergers Panel) (Jersey) Law 2009⁹;
- (i) Financial Services (Jersey) Law 1998¹⁰;
- (j) Financial Services Commission (Jersey) Law 1998¹¹;
- (k) Foundations (Jersey) Law 2009¹²;
- (l) Incorporated Limited Partnerships (Jersey) Law 2011¹³;
- (m) Insurance Business (Jersey) Law 1996¹⁴;
- (n) Limited Liability Partnerships (Jersey) Law 1997¹⁵;
- (o) Limited Partnerships (Jersey) Law 1994¹⁶;
- (p) Registration of Business Names (Jersey) Law 1956¹⁷;
- (q) Separate Limited Partnerships (Jersey) Law 2011¹⁸;
- (r) Non-Profit Organizations (Jersey) Law 2008¹⁹;
- (s) Community Provisions (Wire Transfers) (Jersey) Regulations 2007²⁰;
- (t) Control of Borrowing (Jersey) Law 1947²¹;
- (u) Alternative Investment Funds (Jersey) Regulations 2012²²;
- (v) Security Interests (Jersey) Law 2012²³.

SCHEDULE 2

(Regulation 3)

**ENACTMENTS AMENDED – MINISTER FOR TREASURY AND
RESOURCES**

1 Proceeds of Crime (Jersey) Law 1999 amended

In the Proceeds of Crime (Jersey) Law 1999²⁴ –

- (a) in Article 1(1) the definition “Minister” shall be deleted;
- (b) in Article 24, for the words “the Minister” there shall be substituted the words “the Minister for Treasury and Resources”;
- (c) in Articles 37(1) and 43(1), for the words “the Minister” there shall be substituted the words “the Chief Minister”.

2 Money Laundering (Jersey) Order 2008 amended

In Article 23C(1) of the Money Laundering (Jersey) Order 2008²⁵ for the words “The Minister” there shall be substituted the words “The Chief Minister”.

-
- 1 *chapter 16.800*
 - 2 *chapter 04.160*
 - 3 *chapter 08.780.30*
 - 4 *chapter 08.785*
 - 5 *chapter 13.075*
 - 6 *chapter 13.100*
 - 7 *chapter 13.101*
 - 8 *chapter 13.125*
 - 9 *chapter 13.145*
 - 10 *chapter 13.225*
 - 11 *chapter 13.250*
 - 12 *chapter 13.265*
 - 13 *chapter 13.370*
 - 14 *chapter 13.425*
 - 15 *chapter 13.475*
 - 16 *chapter 13.500*
 - 17 *chapter 13.650*
 - 18 *chapter 13.780*
 - 19 *chapter 15.430*
 - 20 *chapter 17.245.57*
 - 21 *chapter 24.150*
 - 22 *R&O.142/2012*
 - 23 *chapter 13.775*
 - 24 *chapter 08.780*
 - 25 *chapter 08.780.30*