

Drafting Instructions: Changes to Ministerial Offices under Article 29A of the States of Jersey Law 2005

Introduction

The Chief Minister requests that an Order(s) be drafted under the States of Jersey Law 2005ⁱ (“the Law”).

Detail

Changes to the Ministerial Office of ‘Minister for Children and Education’

The ministerial office of ‘Minister for Children and Education’ is to be separated into:

- The ‘Minister for Children and Families’; and the
- The ‘Minister for Education and Lifelong Learning’.

The above shall require an Order that:

- a) establishes the ‘Minister for Children and Families’ as its own separate ministerial office under Article 29A(1)(a) of the Law;
- b) transfers relevant powers to the aforementioned ministerial office from the ‘Minister for Children and Education’ under Article 29A(1)(c) of the Law;
- c) where relevant, substitutes the ‘Minister for Children and Education’ with the ‘Minister for Education and Lifelong Learning’ under the Article 29A(1)(b) of the Law; and
- d) where relevant, substitutes the ‘Minister for Children and Education’ with the ‘Minister for Children and Families’ under the Article 29A(1)(b) of the Law.

The Order made in 2021 to establish the ‘Minister for Children and Education’ⁱⁱ identifies that legislation which should now be transferred from the ‘Minister for Children and Education’ to the ‘Minister for Children and Families’ under Article 1(1) (‘References to Minister for Children and Housing amended’).

The same Order identifies that legislation in which references to the then-Minister for Education, which at the time was changed from the ‘Minister for Education’ to the ‘Minister for Children and Education’, that should now be substituted with the ‘Minister for Education and Lifelong Learning’ under Article 2 (‘References to Minister for Education amended’).

Changes to the Ministerial Office of ‘Minister for External Relations’

The ministerial office of ‘Minister for External Relations’ shall become responsible for financial services.

The above shall require an Order that:

- a) transfers from the ministerial office of the ‘Chief Minister’ the functions related to Financial Services under Article 29A(1)(c) of the Law; and
- b) where relevant, substitutes the ‘Chief Minister’ with the ‘Minister for External Relations’ under Article 29A(1)(b) of the Law.

The Order made in 2023ⁱⁱⁱ details that legislation in which substitutions should be made, and those functions that currently rest with the ministerial office of the ‘Chief Minister’ that should now be transferred to the ‘Minister for External Relations’.

Changes to the Ministerial Office of 'Minister for Housing and Communities'

The ministerial office of 'Minister for Housing and Communities' shall be renamed the 'Minister for Housing'.

The above shall require an Order that:

- a) where relevant, substitutes the 'Minister for Housing and Communities' with the 'Minister for Housing' under Article 29A(1)(b) of the Law.

Resource Implications

There will be no resource implications arising from this decision other than the time required of the Law Drafters' Office to prepare the relevant Order(s).

Recommendation

The Chief Minister is recommended to formally instruct the Law Drafters' Office via these drafting instructions and an accompanying Ministerial Decision.

ⁱ See Article 29A ('Powers relating to changes to Ministerial offices') of the States of Jersey Law 2005, Jersey Legal Information Board ([link](#)). Accessed January 2024.

ⁱⁱ See 'States of Jersey (Minister for Children and Education, Minister for Housing and Communities and Minister for External Relations and Financial Services) (Jersey) Order 2021', Jersey Legal Information Board ([link](#)). Accessed January 2024.

ⁱⁱⁱ See 'States of Jersey (Transfer of Financial Services Functions – External Relations to Chief Minister) Order 2023', Jersey Legal Information Board ([link](#)). Accessed January 2024.