

**REPORT
DELEGATION OF FUNCTIONS**

BACKGROUND

Article 28 of the States of Jersey Law 2005 allows a Minister to delegate any function for which he has responsibility to an Assistant Minister or an Officer. Such delegations can be particularly useful in ensuring that decisions can be made at times when the Minister may be unavailable.

No delegations made prevent the Minister from exercising those functions personally.

RECOMMENDATIONS

That the Minister;

1. In pursuance of Article 28(1)(a) of the States of Jersey Law 2005, delegate all powers and functions in respect of the Housing Department, including all other areas where the Minister would otherwise have to act and be advised, to his Assistant Minister, Connétable John Martin Refault, of St Peter, for any periods when he is unavailable or out of the Island.
2. In pursuance of Article 28(1)(b) of the States of Jersey Law 2005, delegate to the Chief Officer of Housing the following delegated powers with immediate effect.
 - (a) **Sales of property to States tenants in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with HD20 Allocations Policy for Sales and HD22 Valuation Policy for Sales.
 - (b) **Open market sales in accordance with P.6/2007, the Social Housing Property Plan 2007 – 2016.**
Function delegated – the power to approve the sale price and purchaser, in accordance with P6/2007 and HD22 Valuation Policy for Sales.
 - (c) **Evictions of States tenants due to rent arrears or other breaches of the Tenancy Agreement.**
Function delegated – the power to agree to the eviction of States tenants where a breach of the tenancy agreement can be evidenced.
 - (d) **Increases in non-social rented charges and fees, specifically those associated with Paid Parking and Garage lettings.**
Function delegated – specifically the power to increase those charges in line with the requirements of Financial Direction 4.1
 - (e) **Scheme of Delegation**
Function delegated - The Minister delegated authority for maintaining the Department's scheme of delegation in respect of entering into contracts and authorised signatory lists to the Accounting Officer of the Housing Department.

3. Instruct that his decision be presented to the States as part of the 'R' series of reports.
4. Instruct that the report presented to the States should supersede R39/2011

Report Prepared By: _____ 25th November 2011
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