



Jersey

## STATES OF JERSEY (MINISTER FOR EXTERNAL RELATIONS) (JERSEY) REGULATIONS 2013

### Arrangement

#### Regulation

1	Interpretation.....	3
2	Minister for External Relations.....	3
3	Functions of Minister for External Relations.....	3
4	Principal Law amended.....	5
5	Standing Orders amended.....	5
6	European Communities Legislation (Implementation) (Jersey) Law 1996 amended.....	5
7	Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007 amended.....	5
8	Taxation (Agreements with European Union Member States) (Jersey) Regulations 2005 amended.....	5
9	Taxation (Double Taxation) (Jersey) Regulations 2010 amended.....	6
10	Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008 amended.....	6
11	Money Laundering and Weapons Development (Directions) (Jersey) Law 2012 amended.....	6
12	Nuclear Safeguards Act 2000 construed.....	6
13	Nuclear Safeguards (Jersey) Order 2005 amended.....	6
14	Terrorist Asset-Freezing (Jersey) Law 2011 amended.....	6
15	Crime and Security (Jersey) Law 2003 amended.....	7
16	United Nations Measures and Sanctions – Orders in Council construed.....	7
17	Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998 amended.....	8
18	Air Navigation Order 2005 construed.....	8
19	Aviation Security Act 1982 construed.....	8
20	Civil Aviation (Jersey) Law 2008 amended.....	8
21	Revocations.....	8
22	Citation and commencement.....	8





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## **STATES OF JERSEY (MINISTER FOR EXTERNAL RELATIONS) (JERSEY) REGULATIONS 2013**

*Made*

*10th September 2013*

*Coming into force*

*10th September 2013*

**THE STATES**, in pursuance of Article 29(2) and (3) of the States of Jersey Law 2005<sup>1</sup>, have made the following Regulations –

### **1 Interpretation**

In these Regulations “principal Law” means the States of Jersey Law 2005<sup>2</sup>.

### **2 Minister for External Relations**

There is established a Minister for External Relations.

### **3 Functions of Minister for External Relations**

- (1) The Minister for External Relations shall, concurrently with the Chief Minister, discharge the function described in Article 18(3)(b) of the principal Law.
- (2) There shall be transferred from the Chief Minister to the Minister for External Relations the functions of the Chief Minister under the following –
  - (a) the European Communities Legislation (Implementation) (Jersey) Law 1996<sup>3</sup>;
  - (b) the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007<sup>4</sup>;
  - (c) the Taxation (Agreements with European Union Member States) (Jersey) Regulations 2005<sup>5</sup>;
  - (d) the Taxation (Double Taxation) (Jersey) Regulations 2010<sup>6</sup>;
  - (e) the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008<sup>7</sup>;

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- (f) the Money Laundering and Weapons Development (Directions) (Jersey) Law 2012<sup>8</sup>;
  - (g) the Nuclear Safeguards Act 2000 of the United Kingdom, as extended to Jersey by the Nuclear Safeguards (Jersey) Order 2004<sup>9</sup>;
  - (h) the Nuclear Safeguards (Jersey) Order 2005<sup>10</sup>;
  - (i) the Terrorist Asset-Freezing (Jersey) Law 2011<sup>11</sup>;
  - (j) the Crime and Security (Jersey) Law 2003<sup>12</sup>;
  - (k) the Iraq (United Nations Sanctions) (Channel Islands) Order 2000 of the United Kingdom;
  - (l) the Iraq (United Nations Sanctions) (Channel Islands) Order 2003 of the United Kingdom;
  - (m) the Al Qa'ida and Taliban (United Nations Measures) (Channel Islands) Order 2002 of the United Kingdom;
  - (n) the Democratic Republic of the Congo (United Nations Sanctions) (Channel Islands) Order 2003 of the United Kingdom;
  - (o) the Democratic Republic of the Congo (United Nations Measures) (Channel Islands) Order 2005 of the United Kingdom;
  - (p) the Lebanon and Syria (United Nations Measures) (Channel Islands) Order 2006 of the United Kingdom;
  - (q) the Liberia (United Nations Sanctions) (Channel Islands) Order 2004 of the United Kingdom;
  - (r) the United Nations Arms Embargoes (Somalia, Liberia and Rwanda) (Channel Islands) Order 1996 of the United Kingdom;
  - (s) the Somalia (United Nations Sanctions) (Channel Islands) Order 2002 of the United Kingdom;
  - (t) the Sudan (United Nations Measures) (Channel Islands) Order 2005 of the United Kingdom;
  - (u) the Terrorism (United Nations Measures) (Channel Islands) Order 2001 of the United Kingdom;
  - (v) the Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998<sup>13</sup>;
  - (w) the Air Navigation Order 2005 of the United Kingdom, as extended to Jersey by the Air Navigation (Jersey) Order 2008<sup>14</sup>;
  - (x) the Aviation Security Act 1982 of the United Kingdom, as extended to Jersey by the Aviation Security (Jersey) Order 1993<sup>15</sup>;
  - (y) the Civil Aviation (Jersey) Law 2008<sup>16</sup>.
- (3) All rights enjoyed and liabilities incurred by the Chief Minister in connection with the functions transferred by paragraph (2) shall be transferred to the Minister for External Relations and become the rights and liabilities of the Minister for External Relations.
- (4) A provision of a contract or other instrument that specifies that a right or liability of the Chief 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 –
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- (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.

#### **4 Principal Law amended**

In Article 18(1) of the principal Law for the number “9” there shall be substituted the number “10”.

#### **5 Standing Orders amended**

In standing order 117 of the Standing Orders of the States of Jersey<sup>17</sup> –

- (a) in paragraph (1), after “Education, Sport and Culture” there shall be inserted “External Relations”;
- (b) at the end of paragraph (18) there shall be added the words “or the establishment of a Minister”.

#### **6 European Communities Legislation (Implementation) (Jersey) Law 1996 amended**

In Article 1 of the European Communities Legislation (Implementation) (Jersey) Law 1996<sup>18</sup> for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

#### **7 Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007 amended**

In Article 6(2) of the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007<sup>19</sup> for the words “Chief Minister” there shall be substituted the word “Minister”.

#### **8 Taxation (Agreements with European Union Member States) (Jersey) Regulations 2005 amended**

In Regulation 1 of the Taxation (Agreements with European Union Member States) (Jersey) Regulations 2005<sup>20</sup> for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

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**9 Taxation (Double Taxation) (Jersey) Regulations 2010 amended**

In Regulation 3 of the Taxation (Double Taxation) (Jersey) Regulations 2010<sup>21</sup> for the words “Chief Minister” there shall be substituted the words “Minister for External Relations”.

**10 Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008 amended**

In Regulation 16A(3) of the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008<sup>22</sup> for the words “Chief Minister” there shall be substituted the words “Minister for External Relations”.

**11 Money Laundering and Weapons Development (Directions) (Jersey) Law 2012 amended**

In the Money Laundering and Weapons Development (Directions) (Jersey) Law 2012<sup>23</sup> –

(a) in Article 1 for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”;

(b) in the Schedule –

(i) for the words “Chief Minister” wherever they appear there shall be substituted the word “Minister”,

(ii) for the words “Chief Minister’s” there shall be substituted the word “Minister’s”.

**12 Nuclear Safeguards Act 2000 construed**

In the Nuclear Safeguards Act 2000 of the United Kingdom, as extended to Jersey with modifications by the Nuclear Safeguards (Jersey) Order 2004<sup>24</sup>, a reference to the Policy and Resources Committee shall be construed as a reference to the Minister for External Relations.

**13 Nuclear Safeguards (Jersey) Order 2005 amended**

In Article 1(1) of the Nuclear Safeguards (Jersey) Order 2005<sup>25</sup> for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

**14 Terrorist Asset-Freezing (Jersey) Law 2011 amended**

In the Terrorist Asset-Freezing (Jersey) Law 2011<sup>26</sup> –

(a) for the words “Chief Minister” in each place that they appear there shall be substituted the word “Minister”;

(b) for the words “Chief Minister’s” in each place that they appear there shall be substituted the word “Minister’s”;

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- (c) in Article 1(1) after the definition “interim designation” there shall be inserted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

## **15 Crime and Security (Jersey) Law 2003 amended**

In Article 1(1) of the Crime and Security (Jersey) Law 2003<sup>27</sup> for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

## **16 United Nations Measures and Sanctions – Orders in Council construed**

- (1) In the following enactments of the United Kingdom, in the definition “licensing authority”, a reference to the Policy and Resources Committee shall be construed as a reference to the Minister for External Relations –
- (a) article 4(1) of the Iraq (United Nations Sanctions) (Channel Islands) Order 2003<sup>28</sup>;
  - (b) article 2(1) of the Al-Qa’ida and Taliban (United Nations Measures) (Channel Islands) Order 2002<sup>29</sup>;
  - (c) article 2(1) of the Democratic Republic of the Congo (United Nations Sanctions) (Channel Islands) Order 2003<sup>30</sup>;
  - (d) article 2(1) of the Democratic Republic of the Congo (United Nations Measures) (Channel Islands) Order 2005<sup>31</sup>;
  - (e) article 2(1) of the Liberia (United Nations Sanctions) (Channel Islands) Order 2004<sup>32</sup>;
  - (f) article 2(1) of the Somalia (United Nations Sanctions) (Channel Islands) Order 2002<sup>33</sup>;
  - (g) article 2(1) of the Sudan (United Nations Measures) (Channel Islands) Order 2005<sup>34</sup>; and
  - (h) article 2(1) of the Terrorism (United Nations Measures) (Channel Islands) Order 2001<sup>35</sup>.
- (2) In article 2 of the Lebanon and Syria (United Nations Measures) (Channel Islands) Order 2006<sup>36</sup>, in the definition “relevant authority”, the reference to the Chief Minister shall be construed as a reference to the Minister for External Relations.
- (3) In article 2(1) of the Iraq (United Nations Sanctions) (Channel Islands) Order 2000<sup>37</sup> as amended by the Iraq (United Nations Sanctions) (Channel Islands) Order 2003<sup>38</sup>, in the definition “relevant enforcement authority”, the reference to the Policy and Resources Committee shall be construed as a reference to the Minister for External Relations.
- (4) In the United Nations Arms Embargoes (Somalia, Liberia and Rwanda) (Channel Islands) Order 1996<sup>39</sup> a reference to the Policy and Resources Committee shall be construed as a reference to the Minister for External Relations.

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**17 Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998 amended**

In paragraphs 5 and 6 of the Schedule to the Hong Kong Economic and Trade Office (Privileges and Immunities) (Jersey) Law 1998<sup>40</sup> for the words “Chief Minister” there shall be substituted the words “Minister for External Relations”.

**18 Air Navigation Order 2005 construed**

In the Air Navigation Order 2005 of the United Kingdom, extended to Jersey with modifications by the Air Navigation (Jersey) Order 2008<sup>41</sup>, a reference to the Chief Minister shall be construed as a reference to the Minister for External Relations.

**19 Aviation Security Act 1982 construed**

In the Aviation Security Act 1982 of the United Kingdom, extended to Jersey with exceptions, adaptations and modifications by the Aviation Security (Jersey) Order 1993<sup>42</sup>, references to the Committee, other than the references in section 21(6)(a) and in the definition “Airport Director” in section 38(1), shall be construed as references to the Minister for External Relations.

**20 Civil Aviation (Jersey) Law 2008 amended**

In Article 1(1) of the Civil Aviation (Jersey) Law 2008<sup>43</sup>, for the definition “Minister” there shall be substituted the following definition –

“ ‘Minister’ means the Minister for External Relations;”.

**21 Revocations**

The following enactments are revoked –

- (a) Regulation 10 of the States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 2005<sup>44</sup>;
- (b) Regulation 3(b) of the States of Jersey (Transfer of Functions No. 5) (Economic Development to Chief Minister) (Jersey) Regulations 2012<sup>45</sup>.

**22 Citation and commencement**

These Regulations may be cited as the States of Jersey (Minister for External Relations) (Jersey) Regulations 2013 and shall come into force forthwith.

**A.H. HARRIS**

*Deputy Greffier of the States*



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1	<i>chapter 16.800</i>
2	<i>chapter 16.800</i>
3	<i>chapter 17.245</i>
4	<i>chapter 17.245.47</i>
5	<i>chapter 17.850.10</i>
6	<i>chapter 17.850.20</i>
7	<i>chapter 17.850.30</i>
8	<i>chapter 08.685</i>
9	<i>chapter 17.680</i>
10	<i>chapter 17.680.50</i>
11	<i>chapter 17.861</i>
12	<i>chapter 08.110</i>
13	<i>chapter 21.665</i>
14	<i>chapter 03.105</i>
15	<i>chapter 03.385</i>
16	<i>chapter 03.530</i>
17	<i>chapter 16.800.15</i>
18	<i>chapter 17.245</i>
19	<i>chapter 17.245.47</i>
20	<i>chapter 17.850.10</i>
21	<i>chapter 17.850.20</i>
22	<i>chapter 17.850.30</i>
23	<i>chapter 08.685</i>
24	<i>chapter 17.680</i>
25	<i>chapter 17.680.50</i>
26	<i>chapter 17.861</i>
27	<i>chapter 08.110</i>
28	<i>chapter 17.540</i>
29	<i>chapter 17.910.16</i>
30	<i>R&amp;O.125/2003</i>
31	<i>chapter 17.910.22</i>
32	<i>chapter 17.910.40</i>
33	<i>chapter 17.910.64</i>
34	<i>chapter 17.910.70</i>
35	<i>chapter 17.910.72</i>
36	<i>chapter 17.910.37</i>
37	<i>chapter 17.910.32</i>
38	<i>R&amp;O.53/2003</i>
39	<i>chapter 17.910.80</i>
40	<i>chapter 21.665</i>
41	<i>chapter 03.105</i>
42	<i>chapter 03.385</i>
43	<i>chapter 03.530</i>
44	<i>R&amp;O.42/2005</i>
45	<i>R&amp;O.24/2012 (chapter 16.800.35)</i>