

# STATES OF JERSEY



## **TAKE NO ACTION ON THE DRAFT STATES OF JERSEY (MINISTERIAL OFFICES) AMENDMENT ORDER 202- (P.62/2026): COMMENTS**

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**Presented to the States on 13th July 2026  
by the Chief Minister**

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**STATES GREFFE**

## COMMENTS

### **Introduction**

The Council of Ministers ask the Assembly to reject this Proposition.

The proposal to establish a Minister for Planning and Regulation is an important step in strengthening both environmental stewardship and the Island's planning and regulatory framework. It reflects commitments made during the recent election campaign to improve the effectiveness of government, modernise regulation, support sustainable economic growth and reduce unnecessary bureaucracy, while ensuring our natural environment receives the dedicated ministerial focus it deserves.

Rather than representing a significant structural reorganisation of Government, this proposal creates clearer ministerial accountability by aligning political responsibility with the existing operational structure of the department. It separates two substantial portfolios that have grown significantly in both scale and complexity.

The Council of Ministers believes this will deliver better governance, improved accountability and a greater strategic focus on both environmental protection and planning and regulatory reform.

### **The statutory process**

The creation of the new Ministerial Office has followed the process prescribed by the States of Jersey Law 2005.

In accordance with Article 29A(3), the Chief Minister lodged the required notice of intention (R.106/2026) on 29 June 2026, following publication of the proposed ministerial structure on 26 June 2026.

The statutory notice period expires on 13 July 2026.

Should the Order subsequently be made, the Assembly retains its established power under Article 11 of the Legislation (Jersey) Law to annul subordinate legislation.

This is the same process used previously to establish new Ministerial Offices, including the creation of the Minister for Education and Lifelong Learning in 2024.

The Order to create the new Minister for Planning and Regulation is appended for Members' information. This shows the legislation to be transferred. Also appended for information is a list of the legislation as it would be assigned following the Order.

This provides full transparency on the consequences of this change.

### **Why separate Planning and Environment?**

The Council of Ministers considers there to be compelling governance reasons for creating separate ministerial responsibility for planning and regulation.

### **Distinct responsibilities**

Although closely related, planning and environmental protection are fundamentally different disciplines.

Planning focuses primarily upon:

- development management
- planning policy
- building control
- planning applications
- appeals
- regeneration
- facilitating appropriate development.

Environmental responsibilities include:

- biodiversity
- biosecurity
- agriculture
- fisheries
- marine resources
- climate adaptation
- water resources and air quality
- countryside management
- PFAS monitoring, sampling and science
- environmental regulation
- natural heritage.
- Jersey Met
- Animal Welfare and States Vet

The Council of Ministers considers each portfolio to be sufficiently large and strategically important to justify dedicated ministerial leadership.

### **Better governance**

Combining planning and environmental responsibilities within a single portfolio requires one Minister to balance competing objectives.

The same Minister is responsible for:

- promoting development;
- protecting the environment;
- preparing planning policy; and
- determining planning applications.

Separating these responsibilities creates greater transparency and provides clearer checks and balances within government decision-making.

This reflects good governance rather than any criticism of previous Ministers.

### **Stronger environmental leadership**

Creating a dedicated Minister for Environment enables greater political focus upon:

- biodiversity recovery
- climate resilience
- agriculture
- fisheries
- water and air quality
- PFAS
- coastal protection
- natural environment policy
- countryside management

This becomes increasingly important as Jersey responds to climate change, food security, water resilience and environmental regulation. Jersey must continue to adapt to evolving international standards, ensuring the Island remains competitive, well-regulated and able to meet its international obligations.

Indeed, Jersey has previously recognised the benefit of giving environmental matters dedicated political focus. In 2008, responsibility for environmental matters was delegated to an Assistant Minister in order to improve the balance between environmental protection and development.

### **Improved planning performance**

The planning system has a direct influence on:

- housing delivery
- economic investment
- infrastructure
- business confidence.

A dedicated Minister can concentrate on:

- improving planning performance
- reducing costs and delays
- simplifying regulation
- modernising planning services
- improving customer service.

This directly supports housing delivery, economic growth and investment.

### **Supporting sustainable economic growth**

Throughout the election campaign, Islanders consistently identified economic growth, housing delivery and reducing bureaucracy as key priorities.

Planning is central to achieving these objectives.

A Minister whose primary focus is planning and regulation will be better placed to work alongside the Minister for Sustainable Economic Development to ensure regulation becomes an enabler of investment while maintaining appropriate environmental safeguards.

### **Greater accountability**

Separate ministerial responsibility provides greater clarity for Islanders.

If planning performance falls below expectations, there is a Minister directly accountable.

Similarly, environmental outcomes become the clear responsibility of the Minister for Environment.

This strengthens democratic accountability.

### **Response to the Proposition**

#### **(i) Costs**

There are no additional resource implications arising from the establishment of the Minister for Planning and Regulation. Existing departmental resources will support the new Ministerial Office. The purpose of the change is to improve ministerial focus, strengthen accountability and support more efficient regulation, rather than create additional bureaucracy.

#### **(ii) Accountability**

The constitutional position is clear: Ministers are accountable to the States Assembly for matters within their remit, including the policies, decisions and actions of the departments and agencies that discharge their responsibilities. Clear lines of ministerial accountability are therefore essential.

For this reason, the Democratic Accountability and Governance ("DAG") Sub-Committee recommended that each department should have one Minister who is ultimately accountable for the work of that department. This principle has achieved widespread acceptance.

The establishment of the Minister for Planning and Regulation does not involve the creation of new operational structures or a reorganisation of existing Directorates. Rather, it aligns ministerial responsibility with the Department's existing organisational arrangements.

Under the proposed arrangements, the Minister for Planning and Regulation will be responsible for matters discharged through the existing Regulation Directorate, which includes Planning Services together with a range of other regulatory functions. The Minister for the Environment will be responsible for matters discharged through the existing Natural Environment Directorate, including environmental policy, agriculture, fisheries, biodiversity and natural resources.

This approach provides clear ministerial accountability while allowing the Department's existing operational structure to continue unchanged. Each Minister will also be assigned a separate Head of Expenditure within the 2027–2030 Government Plan, reflecting the existing Directorate structure and strengthening financial accountability.

The Regulation Directorate currently administers certain legislation on behalf of other Ministers. These arrangements will be reviewed, where appropriate, to ensure they remain consistent with the principles of clear ministerial accountability and the recommendations of the Democratic Accountability and Governance Sub-Committee.

### **(iii) Transfer of legislation**

In determining which legislation should transfer to the new Minister for Planning and Regulation, the primary consideration was to ensure that legislative responsibility aligned with the functional responsibilities of each Minister, thereby promoting clear accountability, coherent policy development and effective decision-making.

The allocation of legislation was therefore guided by the overarching objectives set out in the Chief Minister's ministerial nomination statement: to create a dedicated Minister for Planning and Regulation focused on improving the planning system and wider regulatory framework, while enabling the Minister for the Environment to concentrate fully on the protection and enhancement of Jersey's natural environment, agriculture, fisheries and marine resources.

In practical terms, legislation has been allocated according to the nature of the functions it governs and the Directorate responsible for delivering those functions, rather than for reasons of organisational convenience. This approach aligns ministerial responsibility with the existing operational structure of the Department and supports clear lines of political and administrative accountability.

In reaching these decisions, consideration was also given to the respective size and complexity of the two portfolios, the existing responsibilities of the Regulation and Natural Environment Directorates, and the need to create two balanced ministerial portfolios capable of providing effective leadership.

The detailed allocation of legislation continued to be refined following publication of the initial Amendment Order to ensure that responsibilities were assigned consistently and logically. This was an iterative process intended to ensure that each Minister has responsibility for legislation that properly reflects their respective policy remit.

### **(iv) Alternative options**

The formation of a new Government necessarily includes a review of the ministerial structure to ensure it reflects the priorities of the incoming administration and provides the most effective arrangements for delivering those priorities.

Since the introduction of ministerial government in 2005, the ministerial structure has evolved to respond to changing priorities. While ten ministerial offices were originally established, subsequent governments have created additional ministries where greater ministerial focus was considered necessary, including External Relations, International Development, Children and Families, and more recently Education and Lifelong Learning.

In each case, the objective has been to strengthen political leadership, improve accountability and accelerate progress in areas of strategic importance.

Following consideration of the current ministerial structure, the Council of Ministers concluded that the most effective governance arrangements would be achieved by separating responsibility for Planning and Regulation from the Environment portfolio. The increasing complexity and importance of both portfolios now warrants dedicated ministerial leadership. This will enable the Minister for Planning and Regulation to focus on improving the planning system, streamlining regulation and supporting sustainable development, while allowing the Minister for the Environment to concentrate fully on the continually evolving agenda of protecting and enhancing Jersey's natural environment, agriculture, fisheries and marine resources.

The proposer's report asks whether consideration was given to merging the remaining responsibilities of the Minister for the Environment with those of the Minister for Sustainable Economic Development. This was not considered appropriate. Environmental stewardship and sustainable economic development are both substantial ministerial responsibilities in their own right, each requiring dedicated political leadership. Merging those portfolios would risk diluting ministerial focus at a time when both environmental resilience and economic growth are key priorities for the Island.

The Council of Ministers believes that creating a dedicated Minister for Planning and Regulation, while maintaining separate Ministers for the Environment and Sustainable Economic Development, provides the clearest lines of accountability, the strongest governance arrangements and the greatest public benefit.

### **Conclusion**

The proposition is founded upon the mistaken assumption that the creation of a new Ministerial Office represents a major structural reorganisation of Government.

It does not.

Operationally, the existing Directorates remain unchanged. What changes is ministerial accountability and political focus.

The Council of Ministers believes that separating Planning and Regulation from Environment will:

- strengthen environmental leadership;
- improve planning performance;
- reduce unnecessary bureaucracy;
- support sustainable economic growth;
- improve accountability; and
- allow both Ministers to devote their full attention to increasingly complex portfolios.

The Council of Ministers considers that good government requires Ministers to have clear and manageable portfolios. As government has evolved, the breadth and complexity of planning, regulation and environmental responsibilities have increased

significantly. Separating these responsibilities is therefore a proportionate response that strengthens accountability, improves ministerial focus and better equips Government to deliver for Islanders.

The proposal follows the statutory process established by the States of Jersey Law and reflects modern principles of ministerial accountability and good governance.

The Council of Ministers therefore asks the Assembly to reject the proposition and allow the establishment of the Minister for Planning and Regulation.

#### **Re-issue note**

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These comments have been re-issued to include the Appendices of the Draft Order, explanatory note and the Legislation Listing as referenced in the comments.

#### **Statement under Standing Order 37A [Presentation of comment relating to a proposition]**

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As outlined in the Order Paper for 14 July 2026, notice has been given of the intention to propose that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting. The Council of Ministers intends to support this shortened lodging, and accordingly, have provided this Comment in response as soon as possible. This was after noon on the penultimate working day before the day the meeting at which the proposition is to expected to be debated.





Jersey

# STATES OF JERSEY (MINISTERIAL OFFICES) AMENDMENT ORDER 2026

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## STATES OF JERSEY (MINISTERIAL OFFICES) AMENDMENT ORDER 2026

*Made**[for LDO use only]**Coming into force**[for LDO use only]*

**THE CHIEF MINISTER** makes this Order under Article 29A of the States of Jersey Law 2005 after complying with paragraph (3) of that Article –

### **1 Article 1 (current list of Ministerial offices) of States of Jersey (Ministerial Offices) Order 2022 amended**

In Article 1 of the States of Jersey (Ministerial Offices) Order 2022, after “the Minister for Justice and Home Affairs” there is inserted “the Minister for Planning and Regulation”.

### **2 Transfer of functions from Minister for the Environment**

Schedule 1 contains amendments to enactments that transfer some of the functions of the Minister for the Environment to the Minister for Planning and Regulation.

### **3 Transfer of functions from Minister for Sustainable Economic Development**

- (1) Schedule 2 contains amendments to enactments that transfer some of the functions of the Minister for Sustainable Economic Development to the Minister for Planning and Regulation.
- (2) Schedule 3 contains amendments to enactments that transfer some of the functions of the Minister for Sustainable Economic Development to the Minister for the Environment.

### **4 Transfer of functions from Minister for Health and Social Services**

In Article 1(1) of the Community Provisions (Food Supplements) (Jersey) Regulations 2014, for “Minister for Health and Social Services” there is substituted “Minister for Planning and Regulation”.

### **5 Title**

This Order is the States of Jersey (Ministerial Offices) Amendment Order 2026.

**6 Commencement**

- (1) Schedule 3, paragraph 2 comes into force when Article 1 of the Agriculture and Fisheries (Loans) (Jersey) Law 2026 comes into force.
- (2) The rest of this Order comes into force on 14 July 2026 at .....

*Signed:* .....

*Date:* .....

*Chief Minister*

**SCHEDULE 1**

(Article 2)

**AMENDMENTS TO TRANSFER FUNCTIONS FROM MINISTER FOR THE ENVIRONMENT  
TO MINISTER FOR PLANNING AND REGULATION****1 Amendments transferring functions to Minister for Planning and Regulation**

In each provision in the following table, for “Minister for the Environment” there is substituted “Minister for Planning and Regulation” –

| <b>Enactment</b>                                              | <b>Provision</b>                                                                      |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Food (Jersey) Law 2023                                        | Article 1(1)                                                                          |
| High Hedges (Jersey) Law 2008                                 | Article 1(1)                                                                          |
| Planning and Building (Jersey) Law 2002                       | Article 1(1)                                                                          |
| Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 | Article 1(1)                                                                          |
| Regulation of Care (Jersey) Law 2014                          | Article 1(1)                                                                          |
| Statutory Nuisances (Jersey) Law 1999                         | Article 1(1)                                                                          |
| Waste Management (Jersey) Law 2005                            | Article 1(1)<br>Schedule 11, heading and paragraph 1(1) in<br>the 2 places it appears |

**2 Drainage (Jersey) Law 2005 amended**

In the Drainage (Jersey) Law 2005, in Article 32(1) –

- (a) for “Article 6 of the Island Planning (Jersey) Law 1964” there is substituted “Article 9 of the Planning and Building (Jersey) Law 2002”;
- (b) for “Minister for the Environment” there is substituted “Minister for Planning and Regulation”.

**SCHEDULE 2**

(Article 3(1))

**AMENDMENTS TO TRANSFER FUNCTIONS FROM MINISTER FOR SUSTAINABLE ECONOMIC DEVELOPMENT TO MINISTER FOR PLANNING AND REGULATION****1 Amendments transferring functions to Minister for Planning and Regulation**

In each provision in the following table, for “Minister for Sustainable Economic Development” there is substituted “Minister for Planning and Regulation” –

| <b>Enactment</b>                                         | <b>Provision</b> |
|----------------------------------------------------------|------------------|
| Consumer Protection (Unfair Practices) (Jersey) Law 2018 | Article 1(1)     |
| Consumer Safety (Jersey) Law 2006                        | Article 1(1)     |
| Distance Selling (Jersey) Law 2007                       | Article 1        |
| Price and Charge Indicators (Jersey) Law 2008            | Article 1        |
| Video Recordings (Jersey) Law 1990                       | Article 1(7)     |
| Weights and Measures (Jersey) Law 1967                   | Article 1(1)     |

**SCHEDULE 3**

(Article 3(2))

**AMENDMENTS TO TRANSFER FUNCTIONS FROM MINISTER FOR SUSTAINABLE ECONOMIC DEVELOPMENT TO MINISTER FOR THE ENVIRONMENT****1 Amendments transferring functions to Minister for the Environment**

In each provision in the following table, for “Minister for Sustainable Economic Development” there is substituted “Minister for the Environment” –

| <b>Enactment</b>                                                           | <b>Provision</b> |
|----------------------------------------------------------------------------|------------------|
| Agricultural Marketing (Jersey) Law 1953                                   | Article 1(1)     |
| Agriculture (Guaranteed Prices and Financial Assistance) (Jersey) Law 1965 | Article 1(1)     |
| Agriculture (Loans and Guarantees) (Jersey) Law 1974                       | Article 1(1)     |

**2 Agriculture and Fisheries (Loans) (Jersey) Law 2026 amended**

In Article 1 of the Agriculture and Fisheries (Loans) (Jersey) Law 2026, for “Minister for Sustainable Economic Development” there is substituted “Minister for the Environment”.

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## EXPLANATORY NOTE

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This Order establishes the Minister for Planning and Regulation and transfers some of the functions of other Ministers to the newly established Minister for Planning and Regulation. This Order also transfers some functions of the Minister for Sustainable Economic Development to the Minister for the Environment.

*Article 1* amends Article 1 of the States of Jersey (Ministerial Offices) Order 2022 (the “Ministerial Offices Order”) to establish the Minister for Planning and Regulation.

*Article 2* introduces *Schedule 1*, which amends other legislation to transfer some of the functions of the Minister for the Environment to the newly established Minister for Planning and Regulation.

*Article 3* introduces *Schedule 2 and 3*. *Schedule 2* amends other legislation to transfer some of the functions of the Minister for Sustainable Economic Development to the newly established Minister for Planning and Regulation. *Schedule 3* amends other legislation to transfer some of the functions of the Minister for Sustainable Economic Development to the Minister for the Environment.

*Article 4* transfers responsibility for the Community Provisions (Food Supplements) (Jersey) Regulations 2014 from the Minister for Health and Social Services to the Minister for Planning and Regulation.

*Article 5* gives the title of this Order.

*Article 6* states that this Order comes into force on 14 July 2026 at the time it is made, except for Schedule 3, paragraph 2, which comes into force when Article 1 of the Agriculture and Fisheries (Loans) (Jersey) Law 2026 comes into force.





## **Schedule of Legislation to be held by the Minister for the Environment**

- Certificate of Origin (Produce of the Soil) (Jersey) Law 1961
- Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974
- Protection of Agricultural Land (Jersey) Law 1964
- National Trust for Jersey Law 1984
- Pesticides (Jersey) Law 1991
- Water Pollution (Jersey) Law 2000
- Weeds (Jersey) Law 1961
- Endangered Species (CITES) (Jersey) Law 2012
- Water (Jersey) Law 1972
- Aquatic Resources (Jersey) Law 2014
- Sea Fisheries (Jersey) Law 1994
- Water Resources (Jersey) Law 2007
- Plant Health (Jersey) Law 2003
- Animal Health (Jersey) Law 2016
- Animal Welfare (Jersey) Law 2004
- Animal Welfare (Jersey) Law 2026
- Dogs (Jersey) Law 1961
- Dangerous Wild Animals (Jersey) Law 1999
- Slaughter of Animals (Jersey) Law 1962
- Wildlife (Jersey) Law 2021
- Veterinary Surgeons (Jersey) Law 1999
- Intellectual Property (Plant Varieties) (Jersey) Law 2016
- Nuclear Installations (Jersey) Order 1980
- Antarctic Act 1994 (Jersey) Order 1995
- Merchant Shipping (Oil Pollution Compensation Limits) Order 2003
- Deep Sea Mining (Temporary Provisions) Act 1981 (Jersey) Order 1997
- Food and Environment Protection Act 1985 (Jersey) Order 1997
- Foreign Fishing Boats (Stowage of Gear) Order 1970
- Jersey (Navigator Hyperbolic System) Order 1987
- Mackerel Licensing (Manx and Channel Islands Boats) Order 1978
- Pecheries: Bateaux – Pecheurs Francais Order in Council 1869
- Sea Beaches (Removal of Sand and Stone) (Jersey) Law 1963
- Sea Fish (Conservation) (Channel Islands Boats) Order 1978
- Sea Fish (Conservation) (Channel Islands) Order 1981
- Sea Fish (Conservation) (Channel Islands) Order 1981
- Sea Fish (Channel Islands Boats) Order 1973
- Sea Fisheries (Channel Islands) Order 1973
- Sea Fisheries Act 1868 Order in Council 1869

- Agricultural Marketing (Jersey) Law 1953
- Agriculture (Guaranteed Prices and Financial Assistance) (Jersey) Law 1965
- Agriculture (Loans and Guarantees) (Jersey) Law 1974 Agricultural Returns (Jersey) Law 1947
- Agricultural and Fisheries (Loans) (Jersey) Law 2026
- Regulations made under the European Union Legislation (Implementation) (Jersey) Law 2014 that relate to the policy areas for which the Minister for the Environment has responsibility including sea fishers, plant health, welfare of animals, pet travel scheme etc.

#### **Schedule of Legislation to be held by the Minister for Planning and Regulation**

- Food (Jersey) Law 2023
- High Hedges (Jersey) Law 2008
- Planning and Building (Jersey) Law 2002
- Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
- Regulation of Care (Jersey) Law 2014
- Statutory Nuisances (Jersey) Law 1999
- Waste Management (Jersey) Law 2005
- Consumer Protection (Unfair Practices) (Jersey) Law 2018
- Consumer Safety (Jersey) Law 2006
- Distance Selling (Jersey) Law 2007
- Price and Charge Indicators (Jersey) Law 2008
- [Protection of Children (Restriction on Supply of Goods) (Jersey) Law 2009]
- Video Recordings (Jersey) Law 1990
- Weights and Measures (Jersey) Law 1967
- Regulations made under the European Union Legislation (Implementation) (Jersey) Law 2014 that relate to food