

Council of Ministers

(26th Meeting)

14th March 2023**Part A (Non-Exempt)**

All members were present, with the exception of Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development, Deputy P.F.C. Ozouf of St. Saviour, Minister for External Relations and Financial Services and Deputy D.J. Warr of St. Helier South, Minister for Housing and Communities, from whom apologies had been received.

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, Chief Minister
 Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Economic Development, Tourism, Sport and Culture
 Deputy I. Gardiner of St. Helier North, Minister for Children and Education
 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for Treasury and Resources
 Deputy H.M. Miles of St. Brelade, Minister for Home Affairs
 Deputy J. Renouf of St. Brelade, Minister for the Environment
 Deputy M.E. Millar of St. John, St. Lawrence and Trinity, Minister for Social Security
 Deputy T.J.A. Binet of St. Saviour, Minister for Infrastructure
 Deputy K.M. Wilson of St. Clement, Minister for Health and Social Services

In attendance –

Connétable A.N. Jehan of St. John, Assistant Chief Minister
 Connétable M.A. Labey of Grouville (for item A1 only)
 Deputy S.M. Ahier of St. Helier North, Assistant Minister for Treasury and Resources
 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter, Assistant Chief Minister
 M.H. Temple, K.C., H.M. Attorney General
 L.-M. Hart, Greffier of the States
 S. Wylie, OBE, Chief Executive and Head of the Public Service, Government of Jersey
 R. Bell, Treasurer of the States (for items B2-B3 only)
 K. Wright, Chair of the Jersey Community Relations Trust (for item B4 only)
 K. Nicholson-Horn, Vice Chair of the Jersey Community Relations Trust (for item B4 only)
 A. Hacquoil, Group Director, Strategic Finance, Treasury and Exchequer (for item B2 only)
 Dr. L. Magris, Acting Group Director, Strategy and Innovation, Strategic Policy, Planning and Performance Department (for part of items A2 and B1 only)
 D. Marcos, Head of International Compliance, Office of the Chief Executive (for part of item A2 only)
 S. Robinson, Head of Shareholder Relations, Treasury and Exchequer (for part of items A2 and B1 only)
 P. Bradbury, Head of Ministerial Office
 K.L. Slack, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Parts A and B.

Welcome and perspective from the Parish of Grouville.

A1. Connétable M.A. Labey of Grouville, welcoming members of the Council of Ministers to Grouville Parish Hall, thanked them for attending and for meeting with Parishioners. He emphasised his wish to keep Grouville green and for the countryside to remain as it currently was, without excess urbanisation, noting that the population of his Parish had increased more than that of any other over the last 2 censuses. He wanted Grouville to be a country park and had applied through the Infrastructure, Housing and Environment Department for 16 green lanes in the Parish, where walkers and cyclists would take priority.

He informed the Council that, prior to the Nazi Occupation of the Island, there had been *circa* 1,000 food producers in Grouville. However, there was currently only one farm; one egg producer; an oyster farm and one glasshouse grower. He had significant concerns about food security and accepted an invitation from Deputy K.F. Morel of St. John, St. Lawrence and Trinity, the Minister for Economic Development, Tourism, Sport and Culture, to meet with him and his officers to discuss the work that was being done in this regard and to encourage small producers.

The Connétable provided the Council with details of the property maintenance projects that had been undertaken and the improvements that had been made to the infrastructure of Grouville and indicated that a full financial review was underway in the Parish, involving external experts to update the financial operations, particularly with regard to depreciation and properties.

The Council thanked the Connétable for his welcome and he withdrew from the meeting.

Forthcoming business.

A2. The Council of Ministers discussed the following items of public business which were scheduled to be debated by the States Assembly at the meeting that was due to commence on 21st March 2023 –

Draft Sanctions and Asset-Freezing (Amendment No.3) (Jersey) Law 202-(P.4/2023)

It was noted that this Proposition, which had been lodged by the Minister for External Relations and Financial Services ('the Minister'), would, if adopted, amend the Sanctions and Asset-Freezing (Jersey) Law 2019 ('SAFL') by removing the powers to implement European Union ('EU') sanctions provisions by Ministerial Order and would further enhance the SAFL compliance with those international standards that were set by the Financial Action Task Force ('FATF'). It would also make the Island more technically compliant with the requirements of Moneyval.

Prior to the United Kingdom's ('UK') exit from the EU, it had had an obligation to implement autonomous EU sanctions as well as its international obligation to implement those of the United Nations ('UN') and Jersey had aligned itself with the UK in this respect. Following the UK's departure from the EU, it had introduced new legislation to facilitate it implementing both UN sanctions and its own autonomous sanctions outside the EU framework. In order for Jersey to remain aligned with the UK position, the SAFL, which had come into force in July 2019, had provided for the Island to implement UK sanctions regulations by Ministerial Order. This mirroring of the position in the UK was important and provided enhanced certainty for businesses.

The draft Law would, *inter alia*, make the following Amendments for the FATF and other purposes –

- it would amend the SAFL and enable the Minister by Order to give automatic effect to UK sanctions General Licences in full, subject to any adaptations or specifications as the Minister might specify and this was noted to be of particular relevance with regard to the Russian sanctions regime;
- it would provide an exception to an otherwise prohibited act to enable specified people to act in the interests of national security or the prevention or detection of crime;
- it would clarify and improve the Island's compliance with certain requirements of the FATF standards;
- it would ensure that there was no time delay between the making of a new UN asset-freeze designation and it becoming effective locally;
- it would clarify the requirement for financial institutions to report frozen assets and actions taken in compliance with sanctions prohibitions to the Minister;
- it would strengthen the Minister's powers with respect to the obtaining of information and documentation in connexion with sanctions compliance and terrorism asset-freeze designation; and
- it would introduce a new Regulation making power to enable the States to amend any provision of the SAFL to implement a provision related to sanctions in any enactment of the UK, a UN sanctions resolution or a standard promoted by the FATF or other international body.

The Council noted that the Law Officers' Department had reviewed the draft Law and had determined that it did not give rise to any additional human rights issues above those that existed under the SAFL. The financial services industry had been consulted and was content with the proposed changes, noting *inter alia* that it would reduce the bureaucratic burden on it and on Government;

Development of Town Masterplan (P.9/2023)

The Council recalled that it had discussed this Proposition, which had been lodged 'au Greffe' by Connétable A.S. Crowcroft of St. Helier, at some length during its meeting on 7th March 2023 and had agreed to present Comments thereon. It was noted that 2 Amendments to P.9/2023 had since been lodged by Deputies S.Y. Mézec of St. Helier South and A.F. Curtis of St. Clement.

The former Amendment sought the cessation of work by the States of Jersey Development Company ('SOJDC') at the South Hill Development in addition to at the Waterfront and requested that all future homes built in St. Helier by the SOJDC, in line with any Town Masterplan, should be for affordable housing. The latter inserted 2 new paragraphs into the Proposition to confirm that the views of Islanders would be considered when major developments of public land were proposed and to ensure that any development containing new commercial spaces would make a positive contribution to the economy of Town.

The Council discussed the Amendments and noted that Comments would be prepared and circulated to Ministers in due course.