

Council of Ministers

(23rd Meeting)

31st January 2023**Part A (Non-Exempt)**

All members were present

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter, Chief Minister
 Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development
 Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Economic Development, Tourism, Sport and Culture (for items A2-A4 and B2-B5 only)
 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 P.F.C. Ozouf of St. Saviour, Minister for External Relations and Financial Services (for items A2 and B2-B4 only)
 Deputy D.J. Warr of St. Helier South, Minister for Housing and Communities
 Deputy H.M. Miles of St. Brelade, Minister for Home Affairs (for part of item B4 and items A3-A4 and B5 only)
 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. Jackson of St. Brelade, Representative of the Comité des Connétables
 Deputy A.F. Curtis of St. Clement, Assistant Chief Minister
 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 (for items A1-A2, B1-B3 and part of item B4 only)
 R. Bell, Treasurer of the States (for part of item B3 and items A3-A4 and B4-B5 only)
 C. Madden, Chief of Staff, Office of the Chief Executive (for item B5 only)
 A. Scate, Chief Officer, Infrastructure, Housing and Environment Department (for items B3-B4 only)
 A. Hacquoil, Group Director, Strategic Finance, Treasury and Exchequer (for items A3-A4 and B5 only)
 Dr. M. Mathias, Director of Delivery and Improvement, Delivery Unit, Cabinet Office (for items A3-A4 only)
 F. de Mita, Associate Director, Financial Services, Office of the Chief Executive (for item A2 only)

L. Richardson, Associate Director, Financial Services, Office of the Chief Executive (for item A2 only)
A. Metcalfe, Associate Director, Strategic Planning and Accountability, Strategic Policy, Planning and Performance Department (for items A3-A4 only)
K. Hemmings, Head of Financial Governance, Treasury and Exchequer (for item B5 only)
S. Perez, Head of Office, Office of the Chief Executive (for items B4-B5 only)
J. Hardwick, OHP Acting Project Director (for item B4 only)
C. May, Head of Communications, Office of the Chief Executive (for items A3-A4 and B4-B5 only)
A. Hoogkamer, Technology Risk Reporting Lead, Chief Operating Office (for item B5 only)
P. Bradbury, Head of Ministerial Office
K.L. Slack, Clerk to the Council of Ministers (items A1-A4, B1-B2 and B5)
L. Lister, Secretariat Officer, States Greffe (items B3-B4)

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

Minutes. A1. The Minutes of the meetings of the Council of Ministers held on 22nd November (Part A only), 29th November (Parts A and B), 6th December (Parts A and B) and 20th December 2022 (Parts A and B), having been previously circulated, were taken as read and were confirmed. The Chief Minister, Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter commended the minute takers for their excellent accuracy.

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 7th February 2023 –

Establishment of a Climate Council (P.117/2022)

Deputy J. Renouf of St. Brelade, the Minister for the Environment, indicated that this Proposition, which had been due to be debated on 7th February, would be deferred until the meeting which would commence on 28th February 2023;

Draft Sea Fisheries (TCA – Licensing of Fishing Boats) (Amendment of Law and Regulations) (No.2) (Jersey) Regulations 202- (P.116/2022)

The Minister for the Environment informed the Council that he had met with the Environment, Housing and Infrastructure Scrutiny Panel on 25th January 2023 and awaited its views;

Draft Limited Liability Companies (Amendment) (Jersey) Regulations 202- (P.118/2022)

The Council of Ministers noted that this Proposition, which had been lodged by Deputy P.F.C. Ozouf of St. Saviour, Minister for External Relations and Financial Services, would amend the Limited Liability Companies (Jersey) Law 2018 ('LLC'), which had come into force on 1st September 2022, as amended by the Limited Liability Companies (Amendment) (Jersey) Law 2020 and the Limited Liability Companies (Amendment No. 2) (Jersey) Law 2022.

Under the LLC, a limited liability company had a separate legal personality but was specifically not a body corporate. The draft Regulations would permit an LLC to be a body corporate, provided that this was requested at the time of registration and noting that it was irrevocable. It was believed that the Regulations would render the

Jersey LLC more attractive by virtue of the choice offered at the time of registration, as no other jurisdiction currently permitted such flexibility. The Council noted that the target market for the Jersey LLC would primarily be fund managers in the United States of America where hedge fund managers favoured LLC. It was noted that the relevant Scrutiny Panel had been briefed and was supportive thereof;

Draft Limited Liability Companies (Winding Up and Dissolution) (Amendment) (Jersey) Regulations 202- (P.119/2022)

This Proposition, which had also been lodged by the Minister for External Relations and Financial Services, would make amendments to the Limited Liability Companies (Winding Up and Dissolution) (Jersey) Regulations 2022 to reflect recent changes made – since the coming into force of the latter - to the Companies (Jersey) Law 1990. Those changes permitted a creditor with a debt exceeding £3,000 to apply to the Court for an insolvent company to be wound up and a liquidator appointed to undertake the necessary work in this regard.

The changes that would be effected if the draft Regulations were approved would be tailored to cater for the particular nature of an LLC. The Council noted that a consultation paper had been circulated by Jersey Finance Limited to its membership on 21st November 2022, with a closing date of 1st December. Further, an online consultation had been organised on 24th November. No comments had been received as a consequence of the consultation.

Common Strategic Policy 2023-2026 as amended and the Government Plan 2023-2026 and Annex as amended: presentation to the States Assembly.

A3. The Council of Ministers, with reference to Minutes Nos. B1 of 22nd and B1 of 27th September 2022 respectively, relating to the Common Strategic Policy 2023-2026 ('CSP') and the Government Plan 2023-2026 and Annex ('GP'), recalled that it had lodged these for debate by the States Assembly and that Amendments thereto had been agreed by the Assembly on 23rd November (CSP) and 16th December 2022 (GP).

The Council accordingly received and noted a report, dated 25th January 2023, entitled 'Common Strategic Policy 23-26 as amended and Government Plan 23-26 as amended', which had been prepared by the Group Director, Strategic Finance, Treasury and Exchequer and the Associate Director, Strategic Planning and Accountability, Strategic Policy, Planning and Performance Department and final design versions of the CSP and GP.

The Council agreed for the Ministerial Office to carry out all necessary arrangements with the States Greffe to enable them to be presented to the States Assembly on 1st February 2023.

Ministerial Delivery Plans.

A4. The Council of Ministers welcomed the Director of Delivery and Improvement, Delivery Unit, Cabinet Office and the Associate Director, Strategic Planning and Accountability, Strategic Policy, Planning and Performance Department, to the meeting and was informed that the intention was to publish all of the Delivery Plans 2023 on the gov.je website and to send them to the Scrutiny Liaison Committee on 1st February 2023.

The Delivery Plans would support the delivery of Ministerial aims and objectives throughout the Government Programme and would be useful tools for Ministers and the Chief Executive to hold Chief Officers to account.

Officers were thanked for collating the Delivery Plans, which were useful documents which would be used regularly by Ministers and agreed that Ministers should finalise their plans for publication as outlined.