

COUNCIL OF MINISTERS

(81st Meeting)

21st April 2011**PART A**

All members were present, with the exception of: Senator F.E. Cohen, Minister for Planning and Environment; Senator A.J.H. Maclean, Minister for Economic Development; Deputy J.G. Reed, Minister for Education, Sport and Culture, and Deputy I.J. Gorst, Minister for Social Security, from whom apologies had been received.

Senator T.A. Le Sueur, Chief Minister  
 Senator P.F.C. Ozouf, Minister for Treasury and Resources  
 Senator B.I. Le Marquand, Minister for Home Affairs  
 Connétable M.K. Jackson of St. Brelade, Minister for Transport and Technical Services  
 Deputy R.C. Duhamel, Assistant Minister for Planning and Environment  
 Deputy A.E. Pryke, Minister for Health and Social Services  
 Deputy T.A. Vallois, Assistant Minister for Education, Sport and Culture  
 Deputy A.K.F. Green, M.B.E., Minister for Housing

In attendance -

W.D. Ogley, Chief Executive, States of Jersey  
 J. Richardson, Deputy Chief Executive (for item A2)  
 T. Gales, Acting Assistant Chief Executive (for item A2)  
 J. Norris, Research and Project Officer  
 M.N. de la Haye, Greffier of the States  
 I. Clarkson, Clerk to the Council of Ministers

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

- Minutes. A1. The Minutes of the meeting held on 7th April 2011 (Parts A and B), having been circulated previously, were taken as read and were confirmed.
- States business. 1240/7/1(1) A2. The Council, with reference to its Minute No. A2 of 7th April 2011 and with the Deputy Chief Executive and the Acting Assistant Chief Executive in attendance, reviewed the list of public business scheduled for consideration by the States Assembly during the remainder of the First Session of 2011. Particular consideration was given to the propositions listed below.

**3rd May 2011****Draft Freedom of Information (Jersey) Law 2010 (P.39/2011) and Freedom of Information: Implementation Plan (P.41/2011)**

The Council noted that the draft comments had been prepared with reference to a report produced by public and third sector technology consultants SOCitm. Analysis by SOCitm had indicated that a decision of the States to adopt the draft Freedom of Information (Law) 201- by 2015 could reasonably be expected to result in set up costs of £5.6 million and estimated initial running costs in the region of £1.3 million per annum. These costs reflected, in part, the linked requirement to achieve the necessary standard of records management and the

requirements of the Public Records (Jersey) Law 2002, the financial and manpower implications of which had been significantly underestimated at the time that Law had been debated. As this would be a new spending pressure, adoption of the draft Freedom of Information Law would obligate the Council to make the necessary financial provision in the business plan for 2012 and for subsequent years.

Certain amendments to the draft comments were recommended with a view to improving clarity.

The Council delegated to the Chief Minister the authority to approve and present to the States final drafts of the comments to P.39 and P.41/2011 in the name of the Council. Given that the SOCitm report effectively fulfilled the requirements of an implementation plan, as called for in P.41/2011, the Council further recommended that the Chief Minister present the SOCitm report to the States prior to 3rd May 2011.

**Constitution for Jersey (P.52/2011)**

The Council, having concluded that the proposer had not made clear why a written constitution for Jersey would be necessary or of particular benefit to the Island, reviewed and endorsed a draft comment to be presented by the Chief Minister.

**17th May 2011**

**Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel (P.36/2011)**

The Council noted and endorsed the intention of the Minister for Treasury and Resources to present to the States a comment describing the budgetary implications that would arise in the event that the proposition was to be adopted.