

IC/PM/JAC/356

COUNCIL OF MINISTERS

(5th Meeting)

15th December 2011PART A

All members were present, with the exception of Senator P.F.C. Ozouf, Minister for Treasury and Resources and Senator A.J.H. Maclean, Minister for Economic Development, from whom apologies were received.

Senator I.J. Gorst, Chief Minister  
 Senator B.I. Le Marquand, Minister for Home Affairs  
 Senator F. du H. Le Gresley, M.B.E., Minister for Social Security  
 Deputy R.C. Duhamel, Minister for Planning and Environment  
 Deputy A.E. Pryke, Minister for Health and Social Services  
 Deputy K.C. Lewis, Minister for Transport and Technical Services  
 Deputy A.K.F. Green, M.B.E, Minister for Housing  
 Deputy P.J.D. Ryan, Minister for Education, Sport and Culture

In attendance -

Deputy E.J. Noel, Assistant Minister for Treasury and Resources  
 Deputy C.F. Labey, Assistant Minister for Economic Development  
 Senator Sir P.M. Bailhache, Assistant Chief Minister  
 J. Richardson, Interim Chief Executive, States of Jersey  
 M.N. de la Haye, Greffier of the States  
 T. Le Cocq, H.M. Attorney General  
 Mrs. D. Le Gresley, Director of Financial Planning and Performance – States Treasury  
 T. Gales, Acting Assistant Chief Executive (for Item B1)  
 Mrs. C. Anderson, Comprehensive Spending Review Team Leader, Chief Minister’s Department (for Item B2)  
 M. Sinclair, Human Resources Director, Chief Minister’s Department (for Item B3)  
 C. Stevenson, Human Resources Project Manager (for Item B3)  
 Mrs. J. Marshall, Head of Strategic Planning (for Item B8)  
 Ms. C. Keir, Comprehensive Spending Review – Communications, Chief Minister’s Department (Item B8)  
 Miss P. Staley, Law Draftsman (for Item B4)  
 Ms. A. Rogers, Head of Financial Performance Reporting, States Treasury (for Item B5)  
 S. Austin-Vautier, Chief Officer, Home Affairs Department (for Item B7)  
 A. Jones, Hospitality and Leisure Manager, Economic Development Department (for Item B6)  
 J. Norris, Project and Research Officer  
 P. Monamy, Acting Clerk to the Council of Ministers

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

- Minutes. A1. The Minutes of the meetings held on the following dates, having been circulated previously, were taken as read and were confirmed –  
21st November 2011 (Parts A and B)  
24th November 2011 (Parts A and B)  
30th November 2011 (Parts A and B)  
1st December 2011 (Parts A and B).
- States  
business.  
1240/7/1(1) A2. The Council, with reference to its Minute No. A2 of 1st December 2011, gave consideration to the list of public business scheduled for consideration by the States Assembly at the meeting commencing on 17th January 2012. Particular consideration was given to the propositions listed below.
- Price Control: investigation (P.165/2011)**  
The Council, having noted the comments of the Minister for Economic Development, agreed that it supported them.
- Draft Shipping (MARPOL) (Jersey) Regulations 201- (P.172/2011)**  
The Council noted and endorsed the draft Regulations and agreed that it supported the extension of the Convention to Jersey.
- Draft Criminal Justice (Miscellaneous Provisions) (No. 3) (Jersey) Law 201- (P.173/2011)**  
The Council noted and endorsed the draft Law, recognising that the amendment taken as a whole would be beneficial to the administration of justice in Jersey's criminal courts.
- Electoral campaign period: restrictions (P.174/2011)**  
The Council noted that a comment on the proposition would be presented by the Privileges and Procedures Committee shortly.
- Draft Employment (Minimum Wages) (Amendment No. 8) (Jersey) Regulations 201- (P.180/2011)**  
The Council noted the associated report presented by the Minister for Social Security and that the draft regulations sought to fix the Minimum Wage at an hourly rate of £6.48. The Council recognised that the relevant Ministers had met the Employment Forum on 14th December 2011 and had satisfied themselves that the work undertaken by the Forum had been detailed and thorough.
- Minimum Wage: revised hourly rate from 1st April 2012 (P.183/2011)**  
The Council noted that Deputy G.P. Southern sought to fix the minimum wage at £6.52 per hour, which figure was different from the £6.48 rate recommended by the Forum. As it appeared that the Deputy had not consulted the Forum prior to proceeding with his proposition, it was hoped that Deputy Southern could be persuaded to withdraw his proposition, otherwise it was agreed that it would be opposed. The Council accordingly endorsed the comment to be made by the Minister for Social Security.
- Draft Criminal Justice (International Co-operation) (Amendment No. 2) (Jersey) Law 201- (P.181/2011)**  
The Council noted the associated report presented by the Minister for Home Affairs which outlined the rationale for the extension to Customs Officers of the power to conduct searches where information relating to an offence had been requested by a country outside of Jersey and the offence concerned a customs matter.

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**Health Insurance Fund: transfer to Health and Social Services Department for 2012 (P.185/2011)**

The Council noted the proposal that, as agreed by the States, the sum of £6,131,000 be withdrawn from the Health Insurance Fund and credited to the Consolidated Fund, for the purpose of funding primary care services in 2012.

**Draft Cold Weather Bonus (Jersey) Regulations 201- (P.186/2011)**

The Council noted that the draft Regulations would provide a Cold Weather Bonus to pensioner households that were also eligible for the Food Costs Bonus. The Minister for Planning and Environment indicated that minor revision of the accompanying report would be desirable in order to clarify that in the discussions to be had with the Minister for Social Security it would be only households eligible under the Energy Efficiency Scheme provided by the Environment Department which would be able to be considered for the Cold Weather Bonus cash payments on a time-limited basis.

**Machinery of Government: review by the Privileges and Procedures Committee (P.187/2011)**

The Council, having noted that the Privileges and Procedures Committee would be presenting a comment on Deputy G.C.L. Baudains' proposition indicating that it considered that the proposal should form part of a larger piece of work, agreed not to present a separate comment.

**Open ballot for Ministers and Chairmen (P.188/2011)**

The Council noted that the Privileges and Procedures Committee, having considered the proposal, considered it to be premature.

**Planning Applications Panel: appointment of members (P.189/2011)**

The Council noted that the proposition was to be lodged 'au Greffe' by the Minister for Planning and Environment on 16th December 2011.

Seasonal  
greetings.

A3. The Chief Minister expressed his best wishes to all members and officers of the Council of Ministers for Christmas and the New Year.