

PM/SC/283

COUNCIL OF MINISTERS

(59th Meeting)

2nd October 2013**PART A**

All members were present, with the exception of Senator P.F.C. Ozouf, Minister for Treasury and Resources, from whom apologies for absence were received.

Senator I.J. Gorst, Chief Minister
 Senator A.J.H. Maclean, Minister for Economic Development (not present for items B3 and B4)
 Senator B.I. Le Marquand, Minister for Home Affairs
 Senator F. du H. Le Gresley, M.B.E., Minister for Social Security
 Senator Sir P.M. Bailhache, Minister for External Relations (not present for items B2 and B3)
 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
 Deputy E.J. Noel, Assistant Minister for Treasury and Resources

In attendance -

Senator P.F. Routier, M.B.E., Assistant to the Chief Minister
 J.D. Richardson, Chief Executive, States of Jersey
 M.N. de la Haye, Greffier of the States
 T. Le Cocq, Q.C., H.M. Attorney General
 Dr. I. Skinner, Head of Strategic Planning, Chief Minister's Department (for item B1)
 A. Maltman, Communications Officer, Chief Minister's Department (for item B1)
 T. Walker, Director – International Relations, Chief Minister's Department (for item B2)
 L. Rowley, Treasurer of the States (for items B3 and B4)
 J. Garbutt, Chief Executive Officer, Health and Social Services Department (for items (B3 and B4)
 W. Gardiner, Project Director, States Treasury (for items B3 and B4)
 H. O'Shea, Hospital Managing Director, Health and Social Services (for items B3 and B4)
 E. Littlechild, Director of Operations, Transport and Technical Services Department (for item B4)
 J. Littlewood, Finance Director, Transport and Technical Services Department (for item B4)
 D. Berry, Assistant Director – Waste Water Treatment, Transport and Technical Services Department (for item B4)
 S. Fisher, Assistant Director – Drainage Infrastructure Group, Transport and Technical Services Department (for item B4)
 I. Gallichan, Chief Officer, Housing Department (for item B4)
 J. Hamon, Finance Director, Housing Department (for item B4)
 C. Mavity, Director of Strategic Development, Housing Department (for item B4)

L. De Oliveira, Policy and Research Officer
C. Keir, Communications Manager, Chief Minister's Department
P. Monamy, Clerk to the Council of Ministers

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

Welcome to
Minister for
External
Relations.

A1. The Council welcomed Senator P.M. Bailhache to his first meeting in his capacity as Minister for External Relations, following his appointment by the States Assembly on 24th September 2013.

States
business.
1240/7/1(1)

A2. The Council, with reference to its Minute No. A2 of 18th September 2013, noted the list of public business scheduled for consideration by the States Assembly for the remainder of the Second Session 2013. Particular consideration was given to the propositions listed below.

8th October 2013

Public Elections: Single Transferable Voting System (STV) and an Alternative Voting System (AV) (P.86/2013)

The Council noted that the Privileges and Procedures Committee was presently considering this matter.

Draft Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 201- (P.97/2013)

The Council supported the draft Regulations.

Draft Income Support (Miscellaneous Provisions) (Jersey) Regulations 201 (P.101/2013)

The Council reaffirmed its support for the draft Regulations.

Jersey Law Commission: appointment of Commissioner (P.103/2013)

The Council supported the proposition.

The Law Society of Jersey Disciplinary Panel: appointment of lay members (P.104/2013)

The Council supported the proposition.

States of Jersey Complaints Panel: appointment of members (P.106/2013) and amendment

Jersey Mutual Insurance Society Incorporated: alteration of fundamental Rules – petition (P.108/2013)

The Council supported the petition.

Machinery of Government Review Sub-Committee: Final Report (R.105/2013) to be discussed 'in Committee'

[See Minute No. B2 of this meeting]

22nd October 2013

Sunstone Holdings Ltd. and De Lec Ltd.: ex gratia payment to investors (P.90/2013)

The Council noted that the Adviser – International Affairs, Chief Minister's Department was presently discussing the matter with the Jersey Financial Services Commission with a view to producing a report which would correct a number of

mis-understandings engendered during the debate on 24th and 25th September 2013; and also that the Chief Minister would in due course announce the identity of an appropriate person to undertake an investigation of the matter.

Public Sector Reform (P.91/2013)

Draft Public Employees (Contributory Retirement Scheme) (Commutation of Small Pensions) (Amendments) (Jersey) Regulations 201- (P.105/2013)

The Council noted that the draft Regulations represented a minor change to the legislation.

Commissioner for Standards: establishment (P.107/2-13)

Law Officers' Department: revised disciplinary process (P.109/2013)

The Council noted that a draft comment would be presented for its consideration at the next meeting and that, meanwhile, the Chief Minister and H.M. Attorney General would meet with Deputy R.G. Le Hérissier to discuss the matter.

Income Support Medical Appeal Tribunal: re-appointment of members (P.111/2013)

Jersey Financial Services Commission: re-appointment of Commissioner (P.112/2013)

Cold Weather Bonus: variation of conditions (P.115/2013)

The Minister for Social Security indicated that his department was in any event to have taken into account views expressed by the Chairman of a recent Social Security Tribunal whereby: *"In arriving at its decision it expressed 'some sympathy for the applicant's predicament', but that 'the absence of any discretion in the department' meant that the appeal must fail'."* Consequently, the Minister advised that he proposed to lodge 'au Greffe' an amendment to the proposition in order to seek that rather than bringing forward separately for approval the necessary amendment to give effect to the proposal to delete *"the requirement to be in receipt of a Jersey Old Age Pension"*, account would be taken of the suggestion as part of the next revision of the Cold Weather Bonus (Jersey) Regulations 2012, which was imminent.