

PM/SC/152

COUNCIL OF MINISTERS

(16th Meeting)

29th May 2015

(Business conducted by electronic mail)

PART A (Non-exempt)

All members were present.

Senator I.J. Gorst, Chief Minister
 Senator A.J.H. Maclean, Minister for Treasury and Resources
 Senator L.J. Farnham, Minister for Economic Development
 Senator Sir P.M. Bailhache, Minister for External Relations
 Senator A.K.F. Green, M.B.E, Minister for Health and Social Services
 Deputy A.E. Pryke of Trinity, Minister for Housing
 Deputy E.J. Noel of St. Lawrence, Minister for Transport and Technical Services
 Deputy S.J. Pinel of St. Clement, Minister for Social Security
 Deputy S.G. Luce of St. Martin, Minister for Planning and Environment
 Deputy R.G. Bryans of St. Helier, Minister for Education, Sport and Culture
 Deputy K.L. Moore of St. Peter, Minister for Home Affairs

In attendance -

P. Monamy, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A only.

Draft Air and
 Sea Ports
 (Incorporation)
 (Jersey) Law
 201-
 (P.5/2015):
 second
 amendment –
 Deputy G.P.
 Southern
 (comment).
 1468(1)

A1. The Council, with reference to its Minute No. A2 of 14th January 2015, considered an amendment to the Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (P.5/2015) which had been lodged ‘au Greffe’ on 12th May 2015 by Deputy G.P. Southern of St. Helier.

It was noted that the Deputy’s amendment reportedly addressed some of the concerns which had been raised by employee representatives of staff at the sea ports and airport over the transfer of staff to the incorporated entity, principally in relation to the non-statutory nature of the transfer of public sector employees (“T.O.P.S.E.”) policy which covered the transfer. The Council recognised that the amendment appeared to be based on representations which had been made by the trade union Prospect to the Economic Affairs Scrutiny Panel earlier in 2015, and it was noted that the Deputy in his amendment had drawn heavily on statements made by the Negotiations Officer to the Panel.

The Council recalled that P.5/2015 had been lodged ‘au Greffe’ on 15th January 2015 in the name of the Council of Ministers. It was apparent to the Council that the evidence upon which the amendment relied was clearly that submitted from a United Kingdom standpoint and demonstrated little understanding of the Jersey position or the arrangements for incorporation. Additionally, the Council considered that the amendment misrepresented statements which had been made on the subject and related issues by Ministers.

The Council, having agreed that the amendment should be rejected, considered a draft comment under the headings of “Redeployment”, “3-year conditions lock” and “3-year pension lock” and also in relation to statements which had been made to the Scrutiny Panel, further agreed that the comment should be presented in the name of the Council of Ministers. The Minister for Treasury and Resources was authorised to finalise the text of the comment and to arrange for its presentation to the States forthwith.