

PM/MH/321

COUNCIL OF MINISTERS

(30th Meeting)

11th November 2015**PART A**

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 -

Senator P.F. Routier, M.B.E., Assistant Chief Minister
 Senator P.F.C. Ozouf, Assistant Chief Minister
 J.D. Richardson, Chief Executive, States of Jersey
 M.N. de la Haye, O.B.E., Greffier of the States
 R.J. MacRae, Q.C., H.M. Attorney General
 R. Bell, Treasurer of the States (for items B1 and B2)
 P. Styles, Head of Financial Performance, Treasury and Resources Department (for item B1)
 P. Bradbury, Director – Corporate Policy, Chief Minister’s Department (for item B3)
 Dr. I. Skinner, Assistant Director – Strategy and Policy, Chief Minister’s Department (for item B3)
 M. Byron, Projects Director – Pensions, Treasury and Resources Department (for item B4)
 G. Chidlow, Director of Accounting Services, Treasury and Resources Department (for item B4)
 V. Page, Policy and Research Officer
 C. Keir, Assistant Director - Ministerial Support and Communications
 P. Monamy, Clerk to the Council of Ministers
 K. Slack, States Greffe
 A. Feltham, States Greffe

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

The Council interrupted the meeting in order to attend the 2 minutes silence observed at the Centotaph in The Parade, St. Helier at 11 a.m., in remembrance of those who had perished in the First World War and other conflicts.

Minutes.

A1. The Minutes of the meetings held on 16th September (Part A), 1st October (Part B only) and 14th October 2015 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Dates of
Council of
Ministers
meetings in
2015.
1444/1(66)

A2. The Council considered and agreed a schedule of dates for its meetings throughout 2016.

It was agreed that the Council should generally continue to meet fortnightly at 9.30 a.m. on a Wednesday, usually during the week that the States were not sitting. Meetings would usually be held in the meeting room on the 9th floor at Cyril Le Marquand House.

The Council agreed to meet on the following days in 2016 –

13th and 27th January	
10th and 24th February	6th and 20th July
2nd and 16th March	7th September
6th and 20th April	5th and 19th October
4th and 18th May	9th and 23rd November
8th and 22nd June	7th December.

It was agreed that additional meetings of the Council would be held during 2016 on the under-mentioned dates in order to discuss the Medium Term Financial Plan (MTFP) and the Budget. It was envisaged that these meetings (9.30 a.m. to 5 p.m.) would also be held at the above-mentioned venue.

10th March	15th September
24th March	13th October
16th June	1st December.

It was further agreed that joint meetings with the Corporate Management Board (CMB) would be held on 14th January and 13th February 2016 (9.30 a.m. to 5 p.m. at an off-site venue) in order to discuss the MTFP savings programme.

Additionally, joint meetings with the CMB would be held every 2 months at an off-site venue (9.30 a.m. to 5 p.m.) in order to discuss Strategic Planning, as follows -

14th January, 11th February, 21st April, 23rd June, 20th October and 8th December.

States Business
17.11.2015.
1240/7/1(1)

A3. The Council, with reference to its Minute No. A2 of 16th September 2015, noted the list of public business scheduled for consideration by the States Assembly on 17th November 2015, and commented specifically on the following –

Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201- (P.96/2015)

The Council supported the draft Regulations.

Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201- (P.97/2015)

The Council supported the draft Regulations.

Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201- (P.98/2015)

The Council supported the draft Regulations.

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Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201- (P.99/2015)

The Council supported the draft Regulations.

Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201- (P.100/2015)

The Council supported the draft Act.

The Projects Director – Pensions, Treasury and Resources Department and the Director of Accounting Services, Treasury and Resources Department were present for the above-mentioned items. *[See also Minute No. A4 of this meeting].*

Draft Public Finances (Amendment of Law No. 3) (Jersey) Regulations 201- (P.114/2015)

The Council supported the Draft Regulations.

Draft Road Traffic (No. 62) (Jersey) Regulations 201- (P.115/2015)

The Council supported the Draft Regulations.

Draft Rates (Amendment) (Jersey) Law 201- (P.116/2015)

The Council supported the Draft Law.

Public Lotteries Board: appointment of Chairman and members (P.121/2015)

The Council supported the proposition.

Jersey Financial Services Commissioner: appointment of Commissioner (P.126/2015)

The Council supported the proposition.

Confidential:
QE Article 35
Draft Public
Employees
Pension
Scheme
(PEPS)
Regulations:
deferred until
17.11.2015.
1479/99(1)

A4. The Council discussed with the Projects Director – Pensions and the Director of Accounting Services, Treasury and Resources Department, a Treasury paper dated November 2015, concerning 4 sets of draft Public Employees Pension Scheme (PEPS) Regulations and a draft Appointed Day Act, consideration of which by the States Assembly had been deferred from 3rd November until 17th November 2015 pending review by the Corporate Services Scrutiny Panel.

It was recognised that agreement of the deferral had been on the basis that there would be no further delays such that the new Career Average Revalued Earnings (CARE) Scheme could be implemented for new members on 1st January 2016.

The Council received a presentation from which it was recalled that the States Employment Board had, on 18th August 2015, lodged ‘au Greffe’ the following projects -

- Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201- (P.96/2015);
- Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201- (P.97/2015);
- Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201- (P.98/2015);
- Draft Public Employees (Pension Scheme) (Transitional) (Jersey) Regulations 201- (P.99/2015);

- Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201- (P.100/2015).

The Council noted that a late concern raised, in particular by the uniformed services, was that the Old Age Pension Adjustment (OAPA) option was to be removed from the final-salary scheme with effect from 1st January 2016. The OAPA allowed scheme members to receive a higher Public Employees Contributory Retirement Scheme (PECRS) pension up to the States retirement age which was compensated for by a lower PECRS pension after the State retirement age. It was recognised that OAPA was not an accrued right and that it was an administrative burden for the Dedicated Pensions Unit.

It was noted that the Joint Negotiating Group (JNC) had put forward a compromise which asked for the OAPA to be retained for all members until 31st December 2018 and for it also to be retained for those within 7 years of Normal Retirement Age on 1st January 2019 who opted to remain in the final-salary scheme. The Council recognised that the States Employment Board had agreed the proposed compromise on 19th October 2015.

The Council accordingly indicated its support of the Draft Pensions Regulations.