

KS/MH/195
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COUNCIL OF MINISTERS

(47th Meeting)

4th May 2016

PART A (Non-exempt)

All members were present.

Senator I.J. Gorst, Chief Minister
 Senator L.J. Farnham, Minister for Economic Development, Tourism, Sport and Culture
 Deputy R.G. Bryans of St. Helier, Minister for Education
 Deputy S.G. Luce of St. Martin, Minister for the Environment
 Senator Sir P.M. Bailhache, Minister for External Relations
 Senator A.K.F. Green, M.B.E., Minister for Health and Social Services
 Deputy K.L. Moore of St. Peter, Minister for Home Affairs
 Deputy A.E. Pryke of Trinity, Minister for Housing
 Deputy E.J. Noel of St. Lawrence, Minister for Infrastructure
 Deputy S.J. Pinel of St. Clement, Minister for Social Security
 Senator A.J.H. Maclean, Minister for Treasury and Resources (for items A1-A3 and B1-B3)

In attendance -

Senator P.F. Routier, M.B.E., Assistant Chief Minister
 Senator P.F.C. Ozouf, Assistant Chief Minister
 Deputy G.J. Truscott of St. Brelade, Assistant Minister for Social Security (for item B1)
 J.D. Richardson, Chief Executive, States of Jersey
 Dr. M. Egan, Greffier of the States
 R.J. MacRae, Q.C., H.M. Attorney General
 T. Walker, Chief Officer, Community and Constitutional Affairs (for item B3)
 I. Burns, Chief Officer, Social Security Department (for item B1)
 S. Duhamel, Policy and Strategy Director, Social Security Department (for item B1)
 C. Keir, Assistant Director - Ministerial Support and Communications (for item B1)
 P. Bradbury, Director – Corporate Policy, Chief Minister’s Department (for items A2, A3 and B3)
 S. Le Quesne, Communications Officer, Chief Minister's Department (for items A2, A3 and B3)
 G. Pearmain, Lead Policy Adviser: Private Wealth and Financial Crime, Financial Services Unit, Chief Minister’s Department (for item A2)
 T. Le Feuvre, Head of International Agreements, Chief Minister's Department (for item A2)
 V. Page, Policy and Research Officer
 K.L. Slack, Committee Clerk, States Greffe

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

Minutes. A1. The Minutes of the meetings held on 2nd March 2016 (Part B), 16th March 2016 (Part A and Part B), 11th April 2016 (Part A) and 14th April 2016 (Part B), having previously been circulated, were taken as read and were confirmed.

States business
10.05.2016 and
24.05.2016.
1240/7/1(1) A2. The Council, with reference to its Minute No. A2 of 20th April 2016, and with Messrs. Bradbury, Le Quesne, Pearmain and Le Feuvre in attendance, noted the list of public business scheduled for consideration by the States Assembly on 10th May 2016 and commented specifically on the following –

Draft Motor Vehicle Registration (Amendment No.5) (Jersey) Law 201-(P.24/2016)

Lodged 14th March 2016 – *Minister for Infrastructure*

The Council noted that the draft Law would permit the Minister to exempt any vehicle, which was the property of the Crown and was used by the Jersey Field Squadron in the performance of its official duties, from requiring registration under the Motor Vehicle Registration (Jersey) Law 1993, which was, effectively, a housekeeping matter to regularise an informal arrangement. However, having considered that the debate on the issue would have the potential to be wider than anticipated, and noting that the Minister had not yet obtained the views of the relevant Scrutiny panel, the Council suggested that the Proposition be deferred.

Draft Financial Regulation (Miscellaneous Provisions No.4) (Jersey) Law 201-(P.30/2016)

Lodged 22nd March 2016 – *Chief Minister*

The Council noted that the draft Law made amendments to the Banking Business (Jersey) Law 1991, the Collective Investments Funds (Jersey) Law 1988, the Financial Services (Jersey) Law 1998, the Insurance Business (Jersey) Law 1996 and the Proceeds of Crime (Supervisory Bodies) (Jersey) Law 2008, which were regulatory Laws administered by the Jersey Financial Services Commission. The amendments were drafted at the request of the Commission and made the Commission's fee-levying powers consistent in addition to removing certain unnecessary administrative provisions that required the annual renewal of regulatory licences granted under 2 of the regulatory Laws. Having discussed the matter, the Council suggested that this Proposition be deferred.

Channel Islands Lottery: allocation of proceeds from 2015 (P.32/2016)

Lodged 6th April 2016 - *Minister for Economic Development, Tourism, Sport and Culture*

The Council noted that the Proposition sought the approval of the States for 100 per cent of the proceeds from the Channel Islands Lottery in 2015 to be transferred to the Association of Jersey Charities for the benefit of the local community and the charitable needs of the Island. The Council supported the Proposition.

Law Society of Jersey Disciplinary Panel: re-appointment of lay member (P.35/2016)

Lodged 11th April 2016 – *Chief Minister*

The Council noted that the Proposition sought to re-appoint Mrs. Margaret Ann Rondel as a lay member of the Disciplinary Panel of the Law Society of Jersey until the end of September 2018, and indicated its support for the same.

Nursery funding: implementation of proposed changes (P.39/2016)

Lodged 12th April 2016 – *Deputy M. Tadier of St. Brelade*

The Council noted that Deputy Tadier's Proposition requested the Minister for Education not to implement proposed changes to nursery funding until such time as the Education and Home Affairs Scrutiny Panel had fully reviewed the issue and presented its findings and recommendations to the States Assembly; and the States had considered and endorsed the Minister's proposals. The Council further noted

that the Minister for Education had lodged an amendment to the Proposition to enable him to consider the findings and recommendations of the Scrutiny review prior to the lodging of the Medium Financial Plan on 28th June 2016. The Council recalled that the removal of a universal benefit was in line with previous States decisions, such as the free TV licences for over 65s and the Christmas bonus. It indicated its support for the principle of means testing.

Collective Responsibility Statements: propositions, amendments, comments or statements lodged or submitted by a Minister (P.40/2016)

Lodged 12th April 2016 – *Deputy S.M. Wickenden of St. Helier*

The Council noted that the Proposition asked the States to consider an amendment to Standing Orders to require any proposition, amendment, comment or statement to contain a statement detailing which Ministers and Assistant Ministers were bound to vote in accordance with collective responsibility. The Council felt that the Code of Conduct and Practice for Ministers and Assistant Ministers was already sufficiently clear, but indicated that it would support the Privileges and Procedures Committee looking at this area.

In relation to the public business scheduled for consideration by the States Assembly on 24th May 2016, the Council noted that Deputy G.P. Southern of St. Helier had lodged P.42/2016: Financial institutions registered in Jersey: links to Panamanian legal firm Mossack Fonseca. It recalled that it had prepared a comment, which had been circulated to Council members, and which required slight amendment, prior to lodging. It felt that the Proposition was potentially requesting the Chief Minister to act in a way which went against international practice, but acknowledged that it would be a useful opportunity for States members to discuss the Panama papers issue and for the Chief Minister to emphasise that the Jersey Financial Services Commission (JFSC), the Joint Financial Crime Unit and the Law Officers' Department were already performing well.

Forthcoming
announcements.

A3. The Council, with reference to its Minute No. A3 of 20th April 2016, discussed with P. Bradbury, Director – Corporate Policy, Chief Minister's Department and S. Le Quesne, Communications Officer, Chief Minister's Department a schedule of forthcoming announcements and communications.

The Council noted that an announcement would be made on 6th May 2016 that the Minister for Infrastructure had made Ministerial Decisions to make various changes in respect of taxis, notably that 20% of the fleet should be Wheelchair Accessible Vehicles, that the terms 'restricted' and 'controlled' taxi cabs would be changed to 'private hire cabs' and 'taxis' and to introduce an accessible standard for all taxi-cab vehicles.

In relation to Mossack Fonseca, the Council noted that on 9th May 2016 an international consortium of investigative journalists was due to publish a searchable database containing information on in excess of 200,000 companies, trusts, foundations and funds with links to 21 jurisdictions. It agreed that it would be of benefit for States members to receive a briefing from the Jersey Financial Services Commission on this subject.

Between the 9th and 13th May 2016, the Chief Minister and Senator P.F.C. Ozouf, Assistant Chief Minister, were due to attend a World Economic Forum on Africa in Kigali, Rwanda. Mindful that an anti-corruption summit was scheduled for 12th May, the Chief Minister indicated that he may not travel to Kigali. The Council noted that a great deal of work had been undertaken to establish strong relationships with the Rwandan government.

On 11th May 2016, HRH the Duke of Kent would be in the Island and the Health Minister would attend a mental health engagement day. The Muratti was due to take place on the afternoon of 14th May 2016 and the Jersey Foster Carers' Award ceremony would be held in the evening. The Council also noted that between the 15th and 18th May 2016, Jersey would be hosting the British Islands and Mediterranean Regions of the Commonwealth Parliamentary Association.