

Council of Ministers Ministerial Group Terms of Reference



Ports Policy Ministerial Group

1. Purpose

The Ports Policy Ministerial Group (“PPMG” or the “Group”) provides a central political forum for matters relating to Ports of Jersey and supports the Minister for Treasury and Resources in the discharging of their functions as shareholder.

The Group will provide Ministerial direction and support to enable the effective and efficient implementation of key strategic priorities. The Group will ensure ongoing alignment across Departments and between the Government and Ports of Jersey regarding the implementation of key strategic priorities and provide guidance in order to enable their efficient and effective implementation

The Group will receive regular updates to inform their policy guidance including statistics, analysis and advice. This will enable it to monitor progress, co-ordinate policy development, effective decision making and actions across Government and oversee the implementation of the MOU

2. Background

The Ports Policy Ministerial Group was established in 2016 via a Memorandum of Understanding between the then Minister for Treasury and Resources and Ports of Jersey. The Group did not meet during the term of the previous Council of Ministers but has now been re-constituted with this terms of reference.

3. Main functions

The Group will hold scheduled quarterly meetings with the aim of providing advice–

- a. To the Minister for Treasury & Resources to discharge their obligations as shareholder as follows:
 - i. Setting the overall policy and delivery objectives for the incorporated Ports of Jersey Limited (PoJL). This may include interpretation of Article 5 (2) to ‘secure sustainable growth in the economy of Jersey in the medium to long term’.
 - ii. To approve the Strategic Business Plan (SBP) as outlined in the MoU.
 - iii. Establishing the dividend policy for the forthcoming year.
- b. To the Minister for Economic Development, Tourism, Sport and Culture to discharge their obligations as follows:

Council of Ministers Ministerial Group

Terms of Reference



- i. Setting the government's policy objectives in relation to the PoJL with regard to regulatory and competition matters.
- ii. Confirming the planned expenditure on the Public Service Obligations (PSOs) during the forthcoming year.

4. Membership

- Minister for Economic Development, Tourism, Sport and Culture (Chair)
- Chief Minister
- Minister for Treasury and Resources
- Minister for Infrastructure

In addition, officers will be invited to support the Ministers, in particular, the Chief Executive of the States, the Treasurer of the States, the Directors General of Economy and Infrastructure, Housing and Environment. Ports of Jersey officers may also attend as needed to support Ministers or otherwise according to agenda items.

The Group will rely on the existing resources of departments but may also seek independent advice as required to support its work. The terms of any such appointment will be time limited and determined by the Group

5. Meeting Frequency

The meetings of the PPG are expected to be held quarterly and to be reasonably brief, and it will be expected to provide advice and guidance with a direct effect on SoJ finances and the implementation of the PoJL strategic business plan.

The Minister for Economic Development, Tourism, Sport and Culture will chair the meetings.

Other States members, interested parties and representatives of Ports of Jersey will be called to attend the meetings as required. The deliberations of the Group will be conducted in private.

Additional meetings will be held if-

- a) The Minister for Treasury & Resources wishes to change the dividend policy mid-year.
- b) Ministers wish to change the expenditure on the PSOs mid-year.
- c) PoJL proposes a change to its SBP.
- d) Members agree that it is necessary to do so.

Should such events arise; the relevant Minister will inform the PPG prior to taking the relevant action or approving changes to the SBP. If the other members confirm that the matter is not of interest, no meeting need be held.

Council of Ministers Ministerial Group

Terms of Reference



Also, in addition to the scheduled meetings, a Minister may offer any decision for which they are responsible under the Air & Sea Ports Incorporation (Jersey) Law, or in relation to the PoJL under the Companies Law, or in relation to the Harbours or Airport Authorities, to the PPG for consideration.

As per d), any Minister may call a meeting to coordinate policy in an area where they otherwise have freedom to implement that policy. This will be entirely subject to the discretion of the party taking the decision.

6. Record Keeping and Reporting

- The Group will be quorate when three members are present.
- Agendas and papers for each Group meeting will be circulated one week in advance.
- Meetings will be minuted.
- The Terms of Reference for the Group will be approved by a Ministerial Decision of the Chief Minister and published on the Government of Jersey website.
- The Chair of the Group will write to the Board of PoJL following each meeting, summarising the outcome of the meeting and providing an update on matters discussed which may relate to the operations of PoJL, SBP or MoU.

Secretarial support, recording of decisions and meeting arrangements will be managed by the Department for the Economy.

7. Roles and responsibilities

- Ministers will remain fully responsible for the legislation and services under their direct political responsibility.
 - The PPG will have no powers in Law, but will guide the PPG membership as to the exercise of those powers held individually in respect of the PoJL.
- Ministers will respect a “no surprises” policy - ensuring that the Group is consulted and advised in advance of significant policy or operational decisions within the remit of the group.
 - Similarly, PoJL will be invited to provide regular updates to the Group relating to the implementation of key strategic priorities.
- The Group will be supported by officials to the same standards and applying similar practices as they would apply in supporting individual Ministers.
- In doing this, officials will produce reports and provide free and open access to information to members of the Group, save for any data protection limitations, as requested.
- Group members will respect the impartiality of officials and maintain the confidentiality of any information or advice provided, in so far as this is not already in the public domain or intended to be placed in the public domain.

Council of Ministers Ministerial Group Terms of Reference



8. Modification of terms and membership

The PPG may modify these terms by agreement of members.

If relevant functions pass to Ministers other than those identified, the relevant Minister or designate will be a member of the PPG.