

STATES OF JERSEY



DRAFT PUBLIC FINANCES (JERSEY) LAW 201- (P.28/2019): FOURTH AMENDMENT

**Lodged au Greffe on 21st May 2019
by the Minister for Treasury and Resources**

STATES GREFFE

DRAFT PUBLIC FINANCES (JERSEY) LAW 201- (P.28/2019): FOURTH
AMENDMENT

1 PAGE 30, ARTICLE 13(2) –

For Article 13(2) substitute –

“(2) A person, committee or panel who intends to propose an amendment to any element of a lodged government plan referred to in Article 9(2) must, in preparing the amendment, take into account the impact of the amendment on –

- (a) the States’ finances;
- (b) the medium-term and long-term sustainability of the States’ finances and the outlook for the economy in Jersey; and
- (c) the sustainable well-being of the inhabitants of Jersey over successive generations.”.

2 PAGE 62, SCHEDULE 6, PARAGRAPH 20(4) –

(a) Insert the following after paragraph 20(4) –

“(5) In Article 11(1)(b), for “special funds” there is substituted “States funds, other than those referred to in sub-paragraphs (c) to (e),”.”

(b) Renumber the existing paragraph 20(5) accordingly.

3 PAGE 62, SCHEDULE 6, PARAGRAPH 20(5)(b) –

For paragraph 20(5)(b) of Schedule 6, substitute –

“(b) in paragraph (2), for “Article 32(2) of the Public Finances Law has been” there is substituted “the accounting standards referred to in the Public Finances Manual issued under the Public Finances Law have been”.

4 PAGE 63, SCHEDULE 6, PARAGRAPH 24(a) –

In paragraph 24(a) of Schedule 6, before “Public Finances Manual” insert –

“accounting standards referred to in the”.

5 PAGE 63, SCHEDULE 6, PARAGRAPH 25(a) –

In paragraph 25(a) of Schedule 6, before “Public Finances Manual” insert –

“accounting standards referred to in the”.

6 PAGE 64, SCHEDULE 6, PARAGRAPH 27 –

In paragraph 27 of Schedule 6 –

(a) in sub-paragraph (3)(a), before “Public Finances Manual” insert –

“accounting standards referred to in the”;

(b) after sub-paragraph (3), insert –

“(4) In Article 32(1), for “in a year which is a base year within the meaning given by Article 9A(6),” there is substituted “in the year that is immediately before a year in which an election is to be held under Article 6(1) of the States of Jersey Law 2005,”.

MINISTER FOR TREASURY AND RESOURCES

REPORT

Having listened to the comments made during the debate on the principles of the draft Public Finances Law and other feedback, and following further discussions, the Minister is proposing the attached amendments to the draft legislation.

Since the debate, the Minister has met with the Corporate Services Scrutiny Panel to discuss matters further, and she is grateful for their comments. The Minister is aware that they are to submit their amendments, and so has decided not to lodge some of her own to reduce duplication, as they are addressed by Scrutiny.

Part 1 – Article 13 – Amendment to lodged Government Plan – the Minister has carefully considered the comments and concerns raised by States Members on this Article, and this part of the amendment removes the requirement for the Minister to be involved in any proposal to amend the Government Plan.

However, the Minister remains of the view that any person, Committee or Panel who proposes an amendment on the financial aspects of a Government Plan must take into account the impact of the proposed amendment on States finances, both in the medium term and long term, and on the sustainable well-being of the inhabitants of Jersey.

Part 2 – this is a minor amendment to the [Comptroller and Auditor General \(Jersey\) Law 2014](#) and replaces the term “special funds” with the term “States funds”. The term “special fund” no longer exists under the draft legislation, and is replaced with the new term “States fund”. This part of the amendment does not affect the powers of the Comptroller and Auditor General.

Parts 3/4/5/6 – these parts of the amendment address comments from the Comptroller and Auditor General about the accounting standards under which the States’ annual financial statement will be prepared. These parts of the amendment make it clear that the States’ annual accounts will be produced in line with the accounting standards set in the Public Finances Manual. Part 6 of the amendment also includes a minor consequential amendment, requested by Social Security to the Social Security Law, to enable an actuarial review of the Social Security Fund to be undertaken every 4 years, and to link the timing of the reviews with the election period set in the [States of Jersey Law 2005](#).

Financial and manpower implications

There are no additional financial or manpower implications for the States arising from the adoption of this amendment.