Year: 2020

The following records of meetings have been approved by the Panel.

Signed

...........................................

Chair
Economic and International Affairs Scrutiny Panel
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 17th January 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance
Stephanie Peat, Director of Digital and Telecoms Policy [item 2]
Kellie Boydens, Principal Committee and Panel Officer

Agenda matter Action

1. Records of Meetings

The Panel approved the records of its meetings held on 6th, 9th and 12th December 2019.

2. Briefing: Digital Policy Unit

The Panel met the Director of Digital and Telecoms for an update on the work of the Digital Policy Unit. The Director provided the Panel with a brief overview of the Digital Policy Unit and explained that the team worked with a number of stakeholders in the development of digital policy. In terms of the digital economy, the Director explained that the team worked closely with Digital Jersey.

The Director explained that the Digital Policy Framework set out six core long-term objectives for the future of digital policy-making in Jersey. The six objectives were:

1. A thriving digital sector
2. Digital skills for all
3. Advanced digital infrastructure
4. Government digital transformation
5. Robust Cyber Security
6. Secure data protection

The Director explained that Cyber Security was a key part of the Digital Policy Unit’s role and that a strategy had been published in 2017 following the publication of the Digital Policy Framework. A discussion followed on the importance of Cyber Security and ensuring the general public was fully aware of the risks with digital data, particularly with emerging technologies. The Director explained that the public was one of many key stakeholders for the Digital Policy Unit.

In terms of the Cyber Security Strategy, it was noted that there were five “critical pillars” to the strategy which included:

1. Government: Continuously secure Government’s information;
2. **Critical national infrastructure:** Strengthen the critical national infrastructure’s cyber resilience;

3. **Business:** Work in partnership with the private sector to encourage and incentivise improved cyber security across the Island’s businesses;

4. **Legislation and international engagement:** Ensure the appropriate legislation is in place on-Island and engage with the international community to enhance cooperation;

5. **Citizens:** Help ensure people in Jersey are secure online by raising awareness, building cyber skills, knowledge and capability.

The Director explained that the Digital Policy Unit had been working with key stakeholders to emphasise the importance of “cyber essentials” which included engaging with healthcare practitioners such as GP’s, pharmacists and opticians on how data is managed.

Part of the work around cyber security also included island-wide engagement and consultation for risk assessments. The Director hoped that a consultation response report would be produced during the first quarter of 2020. The Panel requested a copy of the response report once it had been completed.

The Panel thanked the Director for her time and she withdrew from the meeting.

### 3. Review of Processes within External Relations

The Panel noted that the Scoping Document and Terms of Reference had been approved by the Scrutiny Liaison Committee. The Panel requested that a letter was drafted to the Minister to inform him of the Panel’s review. In terms of the next steps, the Panel agreed that a news release would be issued once the Minister had been informed of the review.

### 4. Review of the Small Business Environment

The Panel received a draft Scoping Document and Terms of Reference. The Panel agreed to defer approving the two documents until it had completed its review of Processes within External Relations.

### 5. Evaluation: Government Plan

The Panel was advised that the Ministerial Response to the Panel’s report (S.R.13/2019) had been delayed but would be presented imminently. In that regard, the Panel agreed to defer evaluating the review until its next meeting.

### 6. Forthcoming Propositions

The Panel noted that P.129/2019 “Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations 202-” had been lodged by the Minister for External Relations on 31st December 2019. The Panel noted that it was due to receive a briefing on the proposition on 27th January.

### 7. Question Plan: Quarterly Hearing with the Minister for External Relations

The Panel noted that a question plan had been drafted in preparation for the Quarterly Hearing on 31st January. The Panel agreed to discuss the plan via Office365 “Teams”.

17.01.2020
8. Future Meetings

The Panel noted that its next meeting would take place on 31st January at 10:45am in the Le Capelain room, States Building.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 23rd January 2020

Present

Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance

Helen De La Cour, Lead Policy Adviser, Financial Services and Digital Economy
James Silverston, Director, Financial Services and Digital Economy
Kellie Boydens, Principal Committee and Panel Officer

Agenda matter

1. Briefing on Draft Financial Services (Disclosure and Provision of Information) (Jersey) Law 202-

The Panel met the Lead Policy Adviser and Director of Financial Services and Digital Economy for a briefing on the draft Financial Services (Disclosure and Provision of Information) (Jersey) Law 202-. The Lead Policy Adviser explained that the draft Law had been proposed in order to implement requirements set out by the Financial Action Task Force (FATF). It was noted that FATF was the inter-Governmental body that set standards for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system.

In relation to the draft Law, the legislation sought to fully meet the FATF Recommendation 24 by placing requirements relating to beneficial ownership on a statutory footing. The Lead Policy Advisor explained the draft Law in detail by each article.

The Lead Policy Advisor advised that a formal consultation process had begun on the legislation which opened on 17th January and would close on 21st February. The Panel also noted that, although the legislation was currently out for consultation, the department had undertaken stakeholder engagement since 2019. It was anticipated that the legislation would be debated on 12th May.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 24th January 2020

| Present                      | Deputy Kirsten Morel, Chairman  
|                             | Deputy David Johnson, Vice-Chairman |
| Apologies                   | Senator Kristina Moore  
|                             | Deputy Jess Perchard  
|                             | Connétable Karen Shenton-Stone, Corporate Services Scrutiny Panel |
| Absent                      | Senator Ian Gorst, Minister for External Relations  
|                             | Deputy Susie Pinel, Minister for Treasury and Resources  
|                             | Tom Le Feuvre, Director, Global Markets & International Agreements  
|                             | Cora O’Brien, Deputy Comptroller of Revenue  
|                             | Dominic Murphy, Deputy Director, Tax Policy  
|                             | Deputy Steve Ahier, Corporate Services Scrutiny Panel  
|                             | Connétable Richard Vibert, Corporate Services Scrutiny Panel  
|                             | Kellie Boydens, Principal Committee and Panel Officer  
|                             | Gary Eisner, Committee and Panel Officer |

<table>
<thead>
<tr>
<th>Agenda matter</th>
<th>1. <strong>Briefing on the Organisation for Economic Co-operation and Development (OECD) work on Taxation of the Digital Economy</strong></th>
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<tbody>
<tr>
<td>Action</td>
<td>The Panel met the Minister for External Relations, the Minister for Treasury and Resources and government officials for a briefing on the OECD’s work on taxation of the digital economy. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 34.</td>
</tr>
</tbody>
</table>
### Economic and International Affairs Scrutiny Panel

**Record of Meeting**

**Date:** 27th January 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman  
|         | Deputy Jess Perchard |
| Apologies | Senator Kristina Moore |
| Absent | |
| In attendance | Cora O'Brien, Deputy Comptroller of Revenue  
|         | Dominic Murphy, Deputy Director, Tax Policy |
|         | Kellie Boydens, Principal Committee and Panel Officer |

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<th>Agenda matter</th>
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The Panel met the Deputy Comptroller of Revenue and Deputy Director of Tax Policy to discuss P.129/2019 which was lodged by the Minister for External Relations on 31st December 2019. The Deputy Comptroller explained that the draft regulations would be made under the powers in Article 2 of the *Taxation (Implementation) (Jersey) Law 2004*. The draft regulations would implement the commitments given by the Government of Jersey to the EU Code of Conduct Group in July 2018 to introduce a Mandatory Disclosure Rules (MDR) Regime. It was noted that the MDR rules were being introduced across the 3 Crown Dependencies (Jersey, Guernsey and Isle of Man) in a consistent manner.

In terms of the MDR Regime, the Deputy Director explained that it should serve two purposes. Firstly, it should provide Revenue Jersey with early information about any Common Reporting Standard (CRS) avoidance or opaque offshore structures in Jersey. Secondly, it should discourage taxpayers and their advisers from engaging in CRS avoidance or opaque offshore structures behaviour.

The draft regulations would introduce a new legal obligation on businesses, professional advisers and promoters to disclose to Revenue Jersey details of opaque offshore structures and arrangements to avoid CRS. It was noted that the details may be exchanged by Revenue Jersey with other tax administrations.

The Deputy Director explained that Revenue Jersey engaged on the MDR Regime with industry and the tax/legal profession throughout 2019. A public consultation was also undertaken between 23rd September and 14th November 2019. In terms of the response rate, it was noted that due to the technical nature of the subject there had been limited responses to the consultation.

It was noted that the draft regulations had been developed by the Council of the Organisation for Economic Co-operation and Development (OECD). The Deputy Comptroller explained that adopting the OECD global standard was consistent with...
Jersey’s approach in other areas and the OECD Model Rules reflected international consensus.

In terms of the next steps, it was noted that, should approval of the draft regulations be given by the States Assembly, a Multilateral Competent Authority Agreement would be signed. This Agreement was the OECD’s legal mechanism which allowed for the information to be exchanged with other jurisdictions. Guidance for industry would also be issued particularly around the interpretation of the “reasonable to conclude test”.

The Panel noted that the draft regulations (regulation 4) stated that guidance “may” be issued by the Comptroller of Revenue. The Panel suggested that guidance should always be issued for industry and the Deputy Comptroller agreed that this would be discussed with the Minister for External Relations.

The Panel also raised a number of queries in relation to regulation 18 “power to enter business premises and examine business documents or client records”. The Deputy Director agreed to provide the Panel with an example case in relation to the regulation.

The Panel thanked the Deputy Comptroller and Deputy Director for their time and they withdrew from the meeting.
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Date:** 29th January 2020

| Present                          | Deputy Kirsten Morel, Chairman  
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<tr>
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<td>Deputy David Johnson, Vice-Chairman</td>
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| Apologies                  | Senator Kristina Moore  
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<td>Deputy Jess Perchard</td>
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| Absent                     | James Silverston, Director, Financial Services and Digital Economy  
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<tr>
<td></td>
<td>James Roberts, Lead Policy Adviser Financial Services</td>
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<td></td>
<td>Charlotte Brambilla, Lead Policy Adviser Financial Services and Digital Economy</td>
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| In attendance          | Kellie Boydens, Principal Committee and Panel Officer |

### Agenda matter

#### 1. Briefing on pension regulation

The Panel met government officials for a briefing on the proposed introduction of pension regulations. The Lead Policy Adviser (Financial Services and Digital Economy) explained that the objectives of the government in proposing to regulate the pension sector were to create a regulatory and supervisory framework to protect the rights and interests of pension scheme members and beneficiaries using Jersey based products and services. Regulation of the pension sector would also ensure that the framework was proportionate and would help support business growth in the sector.

The Panel asked for statistics on the private pension market and it was estimated that around 10% of Jersey’s working population had signed up to a private pension scheme. In terms of employees signed up to the public sector pension scheme, it was estimated that this equated to around 15% of the working population, resulting in a combined percentage of around 25%.

The Lead Policy Adviser explained that in early 2019, the government had issued a consultation proposing to regulate pensions and received feedback from a number of stakeholders.

A second consultation had been issued on 19th December 2019 and was due to close on 28th February 2020. It was noted that the second consultation outlined the feedback received during the 2019 consultation and presented new proposals on the key components of pension regulation.

The Panel was advised that the proposed approach was that the formation, management and administration of pension schemes should be a regulated activity. This would also include pension advice, as poor advice in relation to a person’s ability to fund his or her retirement could have a detrimental impact.

The Lead Policy Advisor then explained the detail of the proposals to the Panel as outlined in the second consultation document.
In terms of the timeline, it was advised that, depending on the responses to the second consultation, the External Relations Department would issue law drafting instructions to the Legislative Drafters. It was agreed that the Panel would be kept up to date on the developments of both the consultation and subsequent legislation.

The Panel thanked the government officials for their time and they withdrew from the meeting.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 30th January 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Deputy Jess Perchard

Apologies
Senator Kristina Moore

Absent

In attendance
Nick Vaughn, Chief Economist, Government of Jersey
Greg Boyd, Senior Economist, Government of Jersey
Aaron Girardi, Economist, Government of Jersey
Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture
Deputy Steve Ahier, Corporate Services Scrutiny Panel
Kellie Boydens, Principal Committee and Panel Officer

<table>
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<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td>1. Briefing on the Inflation Strategy</td>
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The Panel met with the Economics Unit and Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture for a briefing on the draft Inflation Strategy. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 31st January 2020

| Present | Deputy Kirsten Morel, Chairman
|         | Deputy David Johnson, Vice-Chairman
|         | Deputy Jess Perchard |
| Apologies | Senator Kristina Moore |
| Absent | |
| In attendance | Senator Ian Gorst, Minister for External Relations [item 2]
|               | Connétable Richard Buchanan, Assistant Minister for External Relations [item 2]
|               | Kate Nutt, Group Director, External Relations [item 2]
|               | Richard Corrigan, Group Director - Financial Services and Digital Economy [item 2]
|               | Kellie Boydens, Principal Committee and Panel Officer |

### Agenda matter

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1. **Records of Meetings**

The Panel approved the record of its meeting held on 17th January 2020.

2. **Quarterly Hearing with the Minister for External Relations**

The Panel received the Minister for External Relations, the Assistant Minister for External Relations and government officials for a Quarterly Public Hearing.

3. **Processes within External Relations Review**

The Panel noted that a letter had been sent to the Minister for External Relations advising him of the review. The Panel also noted that a news release publicising the review had been sent to the media. The Panel agreed that the next step for the review was to conduct an audit of published decisions related to external relations matters.


The Panel evaluated the scrutiny process in relation to its review of the Government Plan. The Panel agreed that the co-ordinating role of the Government Plan Review Panel had been beneficial as it ensured that every project in the Government Plan had been subject to scrutiny.

The Panel also agreed that the delay in receiving the Business Cases for each project had been detrimental to the review process. It was hoped that information in relation to the next Government Plan, due to be published in 2020, would be received in a timely manner.

The Panel also expressed concern over the way in which the digital copy of the Government Plan had been developed. The Panel’s view was that it could have been more digitally interactive so that searching for corresponding financial information,
often detailed in the appendix, was made easier. The Officer advised that this feedback would be shared with the Department of Treasury and the Exchequer.

### 5. Question Plan: Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture

The Panel noted that it was due to meet the Minister on 14th February for a Quarterly Public Hearing. The Panel agreed that a separate meeting would be organised to discuss the question plan. **KB**

### 6. Draft Disclosure and Provision of Information (Jersey) Law 202-

The Panel recalled that it had received a briefing about the legislation on 23rd January. The Panel had raised a number of queries during the briefing and it was noted that the Lead Policy Advisor for Financial Services and Digital Economy was due to send follow-up information and/or clarifications.

### 7. Future Meetings

The Panel noted that its next scheduled meeting would take place on Friday 14th February at 10:45am in the Le Capelain room, States Building.
**Economic and International Affairs Scrutiny Panel**

**Record of Meeting**

Date: 5th February 2020

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<tr>
<th>Present</th>
<th>Deputy Kirsten Morel, Chairman</th>
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<td>Deputy David Johnson, Vice-Chairman</td>
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<td>Deputy Jess Perchard</td>
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<td>Apologies</td>
<td>Senator Kristina Moore</td>
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<td>Absent</td>
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<td>In attendance</td>
<td>Tom Fothergill, Lead Policy Adviser, Financial Crime, Office of the Chief Executive</td>
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<td>Megan Tollitt, Secondee, Financial Crime, Office of the Chief Executive</td>
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<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<th>Agenda matter</th>
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<tbody>
<tr>
<td>1. Money Laundering (Amendment No. 11) (Jersey) Order 2020</td>
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The Panel met government officials from the Office of the Chief Executive for a briefing on the draft Money Laundering (Amendment No.11) (Jersey) Order 2020. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 7th February 2020

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<tr>
<td>Deputy Kirsten Morel, Chairman</td>
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<td>Deputy David Johnson, Vice-Chairman</td>
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<td>Senator Kristina Moore</td>
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<td>Deputy Jess Perchard</td>
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<th>In attendance</th>
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<tr>
<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Question Plan: Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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<tr>
<td>The Panel discussed a draft question plan in preparation for its Quarterly Hearing with the Minister on 14th February. It was noted that a final version would be circulated in due course.</td>
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Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 12th February 2020

Present

| Deputy Kirsten Morel, Chairman |
| Deputy David Johnson, Vice-Chairman |
| Senator Kristina Moore |
| Deputy Jess Perchard |

Apologies

Absent

In attendance

| Tom Le Feuvre, Head of International Agreements, External Relations |
| Cameron Taylor, Project Assistant, External Relations |
| Gary Eisner, Committee and Panel Officer |

Agenda matter

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<tbody>
<tr>
<td>1. Briefing on External Relations Global Markets</td>
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<tr>
<td>The Panel met officers from External Relations who gave a briefing on the Department’s activities in relation to global markets.</td>
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<tr>
<td>The officers explained the prioritisation and assessment process being undertaken internally to guide the development of international agreements.</td>
</tr>
<tr>
<td>Officers also noted that KPIs were currently being developed around this work and offered to brief the Panel on this later in the year.</td>
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</table>
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Date:** 14th February 2020

| Present                      | Deputy Kirsten Morel, Chairman  
|------------------------------|----------------------------------  
|                              | Deputy David Johnson, Vice-Chairman  
|                              | Deputy Jess Perchard  
| Apologies                    | Senator Kristina Moore  
| Absent                       |  
| In attendance                | Senator Lyndon Farnham, Minister, Economic Development, Tourism, Sport and Culture [item 2]  
|                              | Darren Scott, Director, Economic Development [item 2]  
|                              | Dan Houseago, Group Director, Economy and Partnerships, Growth, Housing and Environment [item 2]  
|                              | Richard Corrigan, Group Director, Financial Services and Digital Economy [item 2]  
|                              | Kellie Boydens, Principal Committee and Panel Officer  

### Agenda matter

<table>
<thead>
<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Records of Meetings</strong></td>
<td></td>
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<tr>
<td>The Panel approved the records of its meetings held on 23rd, 24th, 27th, 29th, 30th and 31st January 2020.</td>
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<tr>
<td><strong>2. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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<tr>
<td>The Panel received the Minister for Economic Development, Tourism, Sport and Culture and government officials for a Quarterly Public Hearing.</td>
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<tr>
<td><strong>3. Review of Processes within External Relations</strong></td>
<td>KB</td>
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<tr>
<td>The Panel noted that a paper was being drafted which identified all public decisions made by the Minister for External Relations. The Panel agreed that it would discuss the next steps for the review once the paper had been completed.</td>
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<tr>
<td><strong>4. Draft Disclosure and Provision of Information (Jersey) Law 201-</strong></td>
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<tr>
<td>The Panel recalled that it had received a briefing on the draft Law on 23rd January. The Panel noted that follow-up information was due to be received imminently.</td>
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<tr>
<td>The Panel recalled that it had received a briefing on P.129/2019 on 27th January. During the briefing, government officials had agreed to provide follow-up information following a number of concerns raised by the Panel. The Panel noted that the information had not been received and that the Proposition was due to be debated on 25th February. The Panel agreed that it was likely to call-in the legislation due to the delay in receiving the information.</td>
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14.02.2020
### 6. Visits/Briefings in 2020

The Panel noted that a series of visits and briefings with various stakeholders would be organised during 2020. The Panel agreed that a discussion with representatives from Scoop (The Sustainable Co-Operative) would be beneficial and requested that a meeting was organised for 6th March.

### 7. Future Meetings

The Panel noted that its next scheduled meeting would take place on 28th February at 10:45am at Jersey Dairy.
Agenda matter | Action
--- | ---
1. **Data Sharing: Proposals to amend the Register of Names and Addresses (Jersey) Law 2012**

The Panel met Katie Falle, Senior Consultant on data management (Prosperity 24.7) and Matthew Berry, Legal Advisor (Law Officers’ Department) to discuss proposals to amend the Register of Names and Addresses Law (Jersey) 2012. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Date: 27th February 2020

| Present                      | Deputy Kirsten Morel, Chairman  
|                             | Senator Kristina Moore  
| Apologies                   | Deputy David Johnson, Vice-Chairman  
|                             | Deputy Jess Perchard  
| Absent                      |  
| In attendance               | Stephanie Peat, Director, Digital and Telecoms Policy, Government of Jersey  
|                             | Stephanie Luce, Digital Policy Advisor, Government of Jersey  
|                             | Kellie Boydens, Principal Committee and Panel Officer  

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<th>Agenda matter</th>
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<tr>
<td><strong>1. TV Licences for over 75s</strong></td>
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<td>The Panel met Stephanie Peat (Director of Digital and Telecoms Policy) and Stephanie Luce (Digital Policy Advisor) for a briefing on the Communications (Jersey) Order 2020: Extension to Jersey by Order in Council lodged by the Chief Minister on 19th February 2020.</td>
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<td>The Director explained that everyone in the UK who watched or recorded television programs must be covered by a valid TV licence. This provision was extended to Jersey under the Broadcasting and Communication (Jersey) Order 2004 and therefore applied to Islanders. Currently, Jersey had offered means-tested free TV licences for persons over 75 and on a comparatively low income. This scheme was governed by the Social Security (Television License Benefit) (Jersey) Law 2006 and the Social Security (Television License Benefit) (Jersey) Regulations 2009 and was managed by the Pensions and Care Team at Customer and Local Services.</td>
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<tr>
<td>The Director explained that in 2015, a funding deal was agreed between the UK Government and the BBC which resulted in the BBC taking responsibility for the funding of free licences for the over-75s and setting the policy for the concession. The Assistant Chief Minister at the time (Senator Philip Ozouf) requested that officers from Jersey and the UK worked together on progressing the future relationship between the BBC and Jersey so that Islanders were included within any new concession arrangement.</td>
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<tr>
<td>This approach was agreed in 2016 and Jersey policy officers had been working to ensure that statutory provisions were in place for when the BBC’s new policy position had taken effect on 1st June 2020. By extending the statutory provisions meant that the BBC would have the power to offer concessions to Islanders. It was noted that any changes to concessions needed to go through a 12 week consultation process which was currently being undertaken by the BBC.</td>
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<tr>
<td>Despite the extension, the Director advised the Panel that Jersey would retain policy making powers to introduce any further benefit schemes around TV licences (at the cost of the Government of Jersey).</td>
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27.02.2020
The Director also explained that the Government Plan 2020-2023 had committed to maintain Jersey's means-tested scheme for Islanders over 75. Therefore, the statutory changes proposed could result in a saving for the Government of Jersey of around £300,000 per annum should persons aged 75 be included in the BBCs concession arrangement.
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Date:** 28th February 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman  
|         | Deputy Jess Perchard  
|         | Senator Kristina Moore |

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| In attendance | Eamon Fenlon, Managing Director, Jersey Dairy [item 1 only]  
|               | Andy Harris, Committee and Panel Officer |

## Agenda matter

### 1. Tour of Jersey Dairy

The Panel received a tour of facilities at Jersey Dairy from the Managing Director, Eamon Fenlon. The Panel discussed some of the key challenges faced by the organisation and noted there had been an increase of productivity from the dairy industry, although the number of dairy farms had decreased over the past 5 years.

The Panel thanked the Managing Director for the tour.

### 2. Records of Meetings

The Panel approved the records of meetings held on 5th, 7th, 12th and 14th February 2020.

### 3. Small Business Environment

The Panel noted a scoping document and Terms of Reference for its proposed review of the small business environment in the Island. The Panel considered it would be important to examine the impact of carbon neutrality on small businesses as well as the impact of any proposals on children. It was agreed that both points should be reflected in the scoping document.

It was also agreed that Skills Jersey should be added as a stakeholder from which to gather evidence in relation to the challenge to small business of recruiting skilled staff.

The Panel agreed to consider the proposed review further and discuss any additional areas for inclusion at its next meetings.

### 4. Processes within External Relations review

The Panel noted a briefing paper in relation to its review of the processes within External Relations. The Panel agreed to review the briefing paper and consider any further areas for examination during the review.

### 5. Implementation of 5G

The Panel noted a submission that had been made by a member of the public in relation to concerns about the implementation of the 5G network in the Island. The Panel reviewed the submission and agreed that the Environment, Housing and
Infrastructure Panel would be better placed to consider it, given that the matters raised sat within the remit of the Minister for Infrastructure and Minister for Environment. The Chair agreed that he would raise the matter with the Panel.

<table>
<thead>
<tr>
<th>6. Meeting with Scoop</th>
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<tbody>
<tr>
<td>The Panel noted that it was due to receive representatives from Scoop (a local co-operative) at 10:30am on Friday 6th March for a meeting to discuss the workings of the business.</td>
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<tr>
<th>7. TV Licences for over 75s</th>
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<tr>
<td>The Panel recalled that it had received a briefing from Officers on the Communications (Jersey) Order 2020: Extension to Jersey by Order in Council which had been lodged by the Chief Minister. The Panel agreed that it was satisfied with the rationale for the proposal.</td>
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<tr>
<th>8. P.129/2019 Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations 202-</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Panel noted that P.129/2019 Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations 202- was due to be debated by the States Assembly on 10th March 2020.</td>
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<tr>
<td>It was noted that the views expressed by the Jersey Financial Services Commission on the future of the Island post-Brexit were at odds with the view expressed by the Minister for External Relations in relation to compliance with OECD led law changes. The Panel agreed that certainty was required as to whether similar legislation in competitor jurisdictions was being implemented.</td>
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<tr>
<th>9. Future Meetings</th>
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<tr>
<td>The Panel noted that its next scheduled meeting was due to take place at 10:45am on Friday 20th March in the Le Capelain Room, States Building.</td>
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</table>
### Economic and International Affairs Scrutiny Panel

#### Record of Meeting

**Date:** 3rd March 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman |
| Apologies | Deputy Jess Perchard  
|          | Senator Kristina Moore |
| Absent |  |
| In attendance | Mark Coxshall, Detective Chief Inspector, Director of Intelligence, States of Jersey Police  
|              | Louise Clayson, Detective Inspector, Financial Intelligence Unit, States of Jersey Police  
|              | Andy Harris, Committee and Panel Officer |

<table>
<thead>
<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Money Laundering (Amendment No.11) (Jersey) Order 2020</strong></td>
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</table>

The Panel received Mark Coxshall, Detective Chief Inspector, Director of Intelligence, States of Jersey Police and Louise Clayson, Detective Inspector, Financial Intelligence Unit, States of Jersey Police for a meeting to discuss the removal of the Suspicious Activity Report (SARs) form from the Money Laundering (Jersey) Order 2008 (the “2008 Order”).

The Detective Chief Inspector explained that the overall purpose of removing the form was to deal with a myriad of additional issues (such as Cybercrime, cryptocurrency and modern-day slavery) which had developed since the original order was made in 2008. It was noted that removing specific reference to the form in the schedule of the 2008 Order would allow for it to be amended to account for any upcoming trends in consultation with industry. The Panel noted that the reference to the form was not originally included in the 2008 Order, however, this was added by a subsequent amendment. It was questioned what the rationale was for inclusion of the form in this amendment. The Detective Chief Inspector explained that this was likely due to work at the time in order to prepare for and comply with the International Monitory Fund (IMF) inspection which took place in 2009. The Detective Chief Inspector explained that further clarification around the reason for adding the form to the schedule of the 2008 Order would be requested.

The Detective Inspector of the Financial Intelligence Unit (FIU) explained that the unit had been through a Lean process in 2019 in order to identify how a SARs form went through the system and how it could collect better data. It was noted that this was linked to Moneyval, which required statistics on how jurisdictions were dealing with money laundering and the funding of terrorist activities. It was explained that there were currently two levels of SARs forms that could be submitted. The first was the full form which provided all relevant information on the suspicions. It was noted that there were 1597 of these forms submitted in 2019. The second form (of which there were 1920 submitted in 2019) was a continuation form that provided additional...
information in relation to the suspicious activity. The Inspector of the FIU explained that if additional information was required, then Article 21(4) of the 2008 Order could be used to request this if necessary.

The Panel questioned what the process for submitting a SARs form was. It was explained that a Money Laundering Reporting Officer (MLRO) submitted a SARs form when they were alerted to suspicious activity throughout its operations. The form would then be submitted to the FIU through an online portal. Each form would then be graded by the FIU and then allocated for further analysis dependant on the grading. The SARs were then also discussed at a weekly triage meeting including representatives of the Joint Financial Crimes Unit (JFCU) FIU, the Law Officers’ Department (LOD) and the Jersey Financial Services Commission (JFSC). Opportunities would then be exploited to ensure the full range of the intelligence was used which could lead to a regulatory referral, consideration given to instigating a criminal or regulatory investigation or sharing intelligence with another jurisdiction.

From that stage, the three agencies are able to refer proposed cases into a Tripartite meeting. This forum accepts proposals and makes an objective view as to what agency is best placed to own and undertake an investigation. The MLO is a key ingredient within that forum so that the proportionality of response, to any proposed case, can be fully considered. The point of complexity of investigations was raised with single cases being able to divert a number of investigators for lengthy periods of time.

It was noted that it was ultimately the responsibility of the MLRO to assess the severity of the issue and whether to externalise the SARs form. It was also explained that instances of non-disclosure could potentially be identified by the JFSC to ensure that SARS were being appropriately managed. This was raised as especially important when considering the potential negative consequences to the Island’s reputation as a result of poor practice in this area.

It was explained that the FIU had recently received an uplift in resources within the Government Plan and had recruited new investigators with significant experience from the financial services industry. It was, however, noted that they would require training in the investigatory aspect of the role which would take time to embed. It was confirmed that the staffing of the FIU was ring fenced and staff would only be required to cover other areas in the event of a serious incident. It was also noted that work was ongoing to update the information technology systems to support the work of the FIU as the current system had been in place since 2004.

The Panel agreed to request a copy of the current and intended SARs form, noting that the new form was undergoing testing at present. As this was only available in an online version, the Detective Chief Inspector agreed to identify the best means with which to share it with the Panel. The Panel also requested the most up to date figures on the number of SARs submitted in 2020.

The Panel questioned whether the original 2008 Order was approved by the States Assembly, and, if so, how the Amendment to it could be made by Ministerial Decision and not further States approval. It was explained that this procedural information was not available to the Officers. The Committee and Panel Officer advised that this would be clarified and confirmed with the Panel.
Economic and International Affairs Scrutiny Panel  
Record of Meeting  

Date:  6th March 2020

| Present               | Deputy Kirsten Morel, Chairman  
|                      | Deputy David Johnson, Vice-Chairman  
|                      | Deputy Jess Perchard  
| Apologies            | Senator Kristina Moore  
| Absent               |  
| In attendance        | India Hamilton, Co-founder and Director, Scoop  
|                      | Oliver Griggs, Manager, Scoop  
|                      | Caro Tomlinson, Committee and Panel Officer  

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<thead>
<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Presentation from Scoop</strong></td>
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<tr>
<td>The Panel received a presentation from India Hamilton, Co-founder and Director, and Oliver Griggs, Manager of Scoop (a local sustainable food co-operative).</td>
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<td>The Director explained that the overall purpose of the presentation was to show what had been learned from developing a sustainable food co-operative and how those lessons could be applied to other business development, addressing business equity and climate change issues. She explained that Scoop had approximately 200 members who paid annual membership fees and benefitted from 25% discount in the small farm shop. She explained that, based on research and her work in developing similar co-operatives in Lapland and India, this type of small organisation providing a variety of foodstuffs could be used to improve the supply chain and form the basis of a better local and resilient food supply. This was of particular importance to an island community, rather than over-reliance on monocrops and larger chain supermarkets. She explained that she set up the co-operative under UK co-operative law as there was no co-operative legislation in Jersey.</td>
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<td>The Panel asked the Director about the term ‘regenerative communities’ and she explained that this referred to a community who ‘looked to themselves through systems design to become resilient’.</td>
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<td>The Director explained the background to understanding food security in Jersey noting that approximately 6-8 days’ worth of fresh food to feed the current population was stored in the Island. The Panel discussed the use of nitrates in the Jersey farming industry and the perceived barriers to organic and sustainable farming practices. The Director explained that the current linear methodology of food production, from producer to supplier to consumer, could be challenged at each stage of the process to benefit more people and produce less waste.</td>
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<td>The Director advised the Panel that there were several perceived difficulties with farming sustainably and creating a market for organic produce, which could be overcome with an effective education campaign and a clear organic farming strategy.</td>
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The difficulties cited most by consumers and farmers included the expense of production, marketing issues, packaging and branding problems. There was also a perception that the quantities produced would not be sufficient to feed a growing population. However, she cited several studies where it could be shown that by taking a holistic approach, (for example using the waste of one form of produce to benefit another), could demonstrate the viability of such a business model. The Panel noted that there were resources currently being spent on conventional farming which could also be used to help encourage smaller businesses move to organic farming, and that striving to achieve a set of common values within the smallholdings could bring benefits to more of them.

The Panel asked if there were ways small businesses such as Scoop could be helped by the Government of Jersey. The Director advised that legislation could be scrutinised to ensure that there were fewer unintended adverse consequences for small businesses. For example, strict planning regulations designed to help one industry could inadvertently hurt a fledgling start-up business. The Director agreed that looking at the development of the Island Plan with small sustainable businesses and ecological factors in mind would be beneficial, as would minimising costs to them. She cited the example of Hackney Council providing free environmental health and safety regulations and guidance to street-food vendors which had helped them to maintain their small businesses. She also agreed with the Panel that it would take a change of mindset with some consumers to achieve real change (such as restauranteurs adjusting menus to incorporate seasonal and diverse locally-sourced produce). However, she noted that if large-contract consumers such as schools requested more variety and sustainable produce, this would drive distributors such as Supply Jersey to encourage the producers to provide a diversity of crops.

The Director advised that the overall aim was to create policy and frameworks to enable support for local businesses, grow exportation and build local resilience.

The Panel thanked the representatives for the presentation and requested that a copy was circulated to it. The Panel also invited Scoop representatives to attend another briefing in May as part of its review of the Small Business Environment.
## Economic and International Affairs Scrutiny Panel

### Record of Meeting

**Date:** 9th March 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman  
|         | Senator Kristina Moore  
|         | Deputy Jess Perchard |
| Apologies |  
| Absent |  
| In attendance | **Item 1**  
| | Helen De La Cour, Lead Policy Adviser, Financial Services & Digital Economy  
| | James Silverston, Director, Financial Services & Digital Economy  
| **Item 2** |  
| | Senator Ian Gorst, Minister for External Relations  
| | Constable Richard Buchanan, Assistant Minister for External Relations  
| | Cora O’Brien, Deputy Comptroller of Revenue  
| | Dominic Murphy, Deputy Director, Tax Policy  
| | James Silverston, Director, Financial Services  
| | David Le Marquand, Private Secretary to the Minister  
| | Sammy McKee, Committee and Panel Officer [item 1]  
| | Gary Eisner, Committee and Panel Officer [item 2] |

### Agenda matter

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<tr>
<td>The Panel met with Helen De La Cour, Lead Policy Adviser (Financial Services &amp; Digital Economy) and James Silverston, Director (Financial Services &amp; Digital Economy) to discuss the draft amendment to the Limited Liabilities Companies Law and the Draft Financial Services (Disclosure and Provision of Information) (Jersey) Law. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</td>
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<tr>
<th><strong>2. Briefing on the Organisation for Economic Co-operation and Development (OECD) work on Taxation of the Digital Economy</strong></th>
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| The Panel met the Minister for External Relations and Resources and government officials for a follow-up briefing on the OECD’s work on taxation of the digital economy.  
| The Deputy Comptroller gave detail of the latest OECD Inclusive Framework meeting that took place at the end of January and the way in which Jersey is participating and |
interacting with the OECD and other member states. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 20th March 2020

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<tr>
<td>Deputy Kirsten Morel, Chairman</td>
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<td>Deputy David Johnson, Vice-Chairman</td>
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<td>Senator Kristina Moore</td>
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<td>Deputy Jess Perchard</td>
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<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<tbody>
<tr>
<td>1. Records of Meetings</td>
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<tr>
<td>The Panel noted and approved the records of its meetings held on 24th, 27th, 28th February and 3rd and 6th March 2020.</td>
<td>KB</td>
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<tr>
<td>2. COVID-19 Response</td>
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<tr>
<td>The Panel agreed to undertake a piece of work on the COVID-19 outbreak. The Panel agreed to focus in particular on the response of the Minister for Economic Development, Tourism, Sport and Culture to the business community. In order to keep up-to-date with the ongoing situation, the Panel agreed to hold weekly catch-up meetings.</td>
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<tr>
<td>3. Small Business Environment Review</td>
<td>KB</td>
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<tr>
<td>The Panel agreed that, due to its urgent work on the COVID-19 outbreak, it would defer discussing its review until the pandemic had passed. The Panel agreed that it would consider, in due course, changing its Scoping Document and Terms of Reference to include the effects of the pandemic on businesses.</td>
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<tr>
<td>4. Processes within External Relations Review</td>
<td>KB</td>
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<tr>
<td>The Panel noted that an audit of decisions by the Minister for External Relations had been completed. The Panel was due to discuss external relations from a constitutional point of view with a Law Officer, however events relating to the COVID-19 outbreak had delayed the meeting. It was agreed that a meeting with the Law Officer would be organised in due course.</td>
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<tr>
<td>5. Draft Financial Services (Disclosure and Provision of Information) (Jersey) Law 202-</td>
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<td>The Panel noted that, due to the COVID-19 outbreak, the timeline for lodging the new Law had been delayed. It was agreed that the timeline would be monitored, and the Panel would continue its work on the Law once it had been lodged by the Minister for External Relations.</td>
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<tr>
<td>6. Draft Limited Liability Companies Amendment (Jersey) Law 201-</td>
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The Panel noted that the amendment to the Law (which had been approved by the States Assembly in 2018 but not yet implemented) was due to be lodged imminently. The Panel agreed that it would review the amendment once it was lodged.

7. **Future Meetings**

The Panel noted that its next scheduled meeting would take place on 3rd April 2020 via Teams video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 25th March 2020

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<tr>
<td>Deputy Kirsten Morel, Chairman</td>
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<td>Deputy David Johnson, Vice-Chairman</td>
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<tr>
<td>Senator Kristina Moore</td>
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<td>Deputy Jess Perchard</td>
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<table>
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<th>In attendance</th>
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<tr>
<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<th>Agenda matter</th>
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<tbody>
<tr>
<td>1. COVID-19 Response</td>
<td>KB</td>
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The Panel discussed the Minister for Economic Development, Tourism, Sport and Culture’s response to the business community in respect of the COVID-19 pandemic. It was noted that the Government of Jersey was working on plans to support businesses which would be announced publicly in due course. The Panel agreed to monitor the situation as and when announcements were made.

The Panel was advised that it was due to have a 1:1 meeting with the Minister on Thursday 26th March via video conference. The Panel agreed a number of areas to ask the Minister during the meeting which included his priorities in terms of business sectors and what checks and balances would be in place to ensure employees received appropriate funding.

The Panel received a proposal from the Good Business Charter which called for a “community liaison group for businesses and the economy” to be established. The Panel discussed the proposal and agreed that creating such a function within scrutiny would likely duplicate work that was already being undertaken by the Minister for Economic Development, Tourism, Sport and Culture. The Officer advised that that the Good Business Charter would be informed of the Panels discussions.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 26th March 2020

**Present**
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard [Item 2 only]

**Apologies**

**Absent**
Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture [item 2 only]
Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture [item 2 only]
Darren Scott, Director, Economic Development, Growth, Housing and Environment [item 3 only]
Charlotte Brambilla, Lead Policy Adviser Financial Services and Digital Economy [item 3 only]

Kellie Boydens, Principal Committee and Panel Officer

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<tbody>
<tr>
<td>1. COVID-19 Response</td>
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<tr>
<td>The Panel discussed the Government’s announcement that it would co-fund 80% of the wages of Jersey employees across a range of sectors, up to a maximum payment of £1,600 a month, under a revised Payroll Co-funding Scheme. In preparation for the video conference with the Minister, the Panel agreed a number of questions about the initiative.</td>
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<tr>
<td>2. COVID-19 Response: Meeting with the Minister for Economic Development, Tourism, Sport and Culture</td>
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<tr>
<td>The Panel met the Minister for Economic Development, Tourism, Sport and Culture via video conference. The Panel discussed the Payroll Co-funding Scheme and the Minister advised that the scheme would be implemented for April to June 2020. If the crisis persisted, the timeline would be reviewed.</td>
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<td>The Minister also explained new provisions to support workers with less than five years’ residency who may lose their employment and not qualify for Income Support.</td>
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<td>The Minister advised that his priority was supporting businesses, employers and employees through the COVID-19 pandemic.</td>
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<td>3. P.33/2020: Channel Islands Lottery: allocation of proceeds from 2019</td>
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<td>The Panel discussed P.33/2020 with the Director of Economic Development and the Lead Policy Advisor via video conference. It was noted that P.33/2020 had been lodged by the Minister for Economic Development, Tourism, Sport and Culture on 25th March for debate on 27th March. It was noted that the proposition asked States</td>
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Members to approve that the proceeds from lottery tickets in 2018 and 2019 were given to the Association of Jersey Charities (AJC) to support the Island’s needs arising from the COVID-19 pandemic. In total, the proposition specified that £1,762,380 of the funds were paid in tranches of £250,000 to the AJC subject to a new Service Level Agreement.

Once the Government officials had briefed the Panel on the proposition they withdrew from the video conference. The Panel discussed the matter and agreed that it would lodge an amendment to ensure the appropriate checks and balances were in place in respect of the funds being given to the AJC. The amendment was drafted and approved by the Panel.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 31st March 2020

| Present                      | Deputy Kirsten Morel, Chairman  
|                             | Deputy David Johnson, Vice-Chairman  
|                             | Senator Kristina Moore  
|                             | Deputy Jess Perchard  

| Apologies |  
| Absent |  

| In attendance                      | Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture  
|                                     | Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture  
|                                     | Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture  
|                                     | Darren Scott, Director, Economic Development, Growth, Housing and Environment  
|                                     | Ian Clarkson, Policy Principal, Strategic Policy, Planning, Performance  
|                                     | Dan Houseago, Group Director – Economy & Partnerships, Growth, Housing and Environment  

Kellie Boydens, Principal Committee and Panel Officer

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<tr>
<td><strong>1. COVID-19 Response: Meeting with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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<tr>
<td>The Panel met the Minister for Economic Development, Tourism, Sport and Culture, the Assistant Minister and Government Officials via video conference. The Panel discussed the Co-Funded Payroll Scheme and the Minister advised that further details on phase 2 of scheme would be published on 10th April.</td>
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<td>The Minister was also exploring other support schemes to help businesses through the COVID-19 crisis.</td>
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<td>The Panel was advised that a proposition was due to be lodged which would give large supermarkets additional scope to trade on Sundays for a period of 6 months. The Minister was hopeful that the proposition would be lodged imminently.</td>
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# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Meeting held by video conference**

**Date:** 3rd April 2020

| Present                  | Deputy Kirsten Morel, Chairman  
|                         | Senator Kristina Moore  
|                         | Deputy Jess Perchard  
| Apologies               | Deputy David Johnson, Vice-Chairman  
| Absent                  |  
| In attendance           | Kellie Boydens, Principal Committee and Panel Officer  
|                         | Monique Magalhaes, Project and Research Officer  

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1. Records of Meetings</td>
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<tr>
<td>The Panel deferred approving the records of its meetings until the next scheduled meeting.</td>
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| 2. Processes within External Relations Review | KB  
| The Panel recalled that, pre-Covid-19, it had requested a meeting with the Law Officers’ Department to discuss the constitutional aspects of External Relations. The Panel agreed that, since it was gradually resuming business as usual work, the Law Officers’ Department should be contacted so that a meeting could be arranged. |  
| The Panel discussed the progress of its review. It agreed that its weekly catch-up meetings with the Minister for Economic Development, Tourism, Sport and Culture had been beneficial in understanding the support measures for businesses. The Panel agreed that it would continue corresponding with the business community and pass on any concerns to the Minister. In that regard, the Panel agreed that a Public Hearing with the Minister should be organised via video conference so that measures to support businesses and any arising concerns could be discussed publicly. |  
| The Panel agreed that its review should also include forward planning in terms of economic recovery for the Island. Deputy Perchard suggested that all Scrutiny Panels should undertake this work and agreed to submit a proposal to the Scrutiny Liaison Committee. |  
| 4. P.35/2020 - Draft Limited Liability Companies Amendment (Jersey) Law 201- | KB  
| The Panel noted that an amendment to the Limited Liability Companies Law (approved by the States Assembly but not yet implemented) had been lodged by the Minister for External Relations on 30th March 2020. The Panel agreed that, although the amendment was largely technical, it would request views from Jersey Finance. |  
| 5. Future meetings |  
| The Panel noted that its next scheduled meeting would take place on 17th April 2020 via video conference. |  

03.04.2020
**Economic and International Affairs Scrutiny Panel**

**Record of Meeting**

**Meeting held by video conference**

**Date:** 7th April 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Senator Kristina Moore  
|         | Deputy Jess Perchard  |
| Apologies | Deputy David Johnson, Vice-Chairman  |
| Absent |  |
| In attendance | Murray Norton, Chief Executive Officer, Chamber of Commerce [Item 1]  
|               | Jennifer Carnegie, President, Chamber of Commerce [Item 1]  
|               | Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture [Item2]  
|               | Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture [Item2]  
|               | Darren Scott, Director, Economic Development, Growth, Housing and Environment [Item 2]  
|               | Richard Corrigan, Group Director - Financial Services and Digital Economy [Item 2]  
|               | Kellie Boydens, Principal Committee and Panel Officer  
|               | Monique Magalhaes, Project and Research Officer  |

**Agenda matter**

**1. COVID-19 Response: Meeting with Chamber of Commerce**

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss concerns raised by the business community. The CoC explained that the concerns they had received from businesses were about communication and the measures to support businesses. Specifically, the concerns were:

- A lack of communication with businesses since the beginning of the Covid-19 crisis.

- The Business Liaison Group had ceased meeting, however had been a beneficial way for Government to communicate with businesses.

- There was a lack of detail on phase 1 of the co-funded payroll scheme and there had been no detail about what industries would be included in phase 2.

- The decision-making processes for what industries were included in the co-funded payroll scheme had not been published. It was the CoC’s view that there was a lack of transparency over decision-making.

- Some freight companies in particular had found the crisis difficult and it was noted that key supply lines to Jersey may be affected.
It was the CoC’s view that an “Economic Emergency” should be declared by Government and that any support given to businesses should be considered on an emergency scale.

The CoC advised that many businesses had offered their support and expertise to Government but the take-up of this had been lacking. The CoC believed that the Covid-19 crisis was a problem that involved everyone in Jersey.

The CoC was also concerned that there was an apparent lack of strategy for economic recovery. It was the CoC’s view that there would need to be contingency planning and a detailed plan for recovery in the near future.

The Panel thanked the Chief Executive Officer and President of the CoC for their time. It was agreed that weekly catch-up meetings would be beneficial and that these would be organised in due course.

2. **COVID-19 Response: Meeting with the Minister for Economic Development, Tourism, Sport and Culture**

The Panel met the Minster for Economic Development, Tourism, Sport and Culture and Government Officials via video conference. The Panel advised that it had met the Chief Executive Officer and President of the Chamber of Commerce and shared some of the concerns raised during the meeting.

The Panel asked the Minister when details of phase 2 of the co-funded payroll scheme would be published. The Minister advised that further details, which would include a list of which industries were included and excluded from the scheme, would be published on 10th April. The Council of Ministers was due to discuss and approve the final details of the scheme imminently.

The Panel also asked whether the Business Liaison Group would continue meeting and the Minister advised that the Group would reconvene meeting in due course. The Minister explained that work on the payroll scheme had been undertaken since the Group had last met.

The Panel thanked the Minister and Government Officials for their time.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 8th April 2020

Present

Deputy Kirsten Morel, Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Deputy David Johnson, Vice-Chairman

Absent

In attendance

Graeme Smith, Chief Executive Officer, Jersey Business
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Project and Research Officer

Agenda matter | Action
---|---
1. COVID-19 Response: Meeting with Jersey Business

The Panel met the Chief Executive Officer (CEO) of Jersey Business to discuss the business community in light of the Covid-19 crisis. It was noted that Jersey Business had been providing a support service to businesses who had queries relating to Government support measures. The CEO explained that in particular Jersey Business was providing support in the following areas:

- The Payroll Co-Funding Scheme
- Advice for landlords and tenants
- Information on the Business Disruption Loan Guarantee

The CEO explained that Jersey Business had fielded many phone calls and queries since the beginning of the crisis. There had also been 14,500 new users on the Jersey Business website and 1,400 clients had been contacted by the team.

The CEO explained that the main concerns were about phase 1 of the payroll scheme and the application process. It was understood that the construction industry would be included in phase 2 of the payroll scheme but there was confusion over what work would be classified as essential.

The CEO advised that there would be challenges faced by both businesses and the Government throughout the crisis. It was likely that there would be an economic recession after the crisis.

The CEO explained that, on a positive note, since the crisis had occurred, some businesses had demonstrated operational resilience. For example, some restaurants were providing take-away services as opposed to in-house services. The CEO also explained that some businesses were being creative with the services they offered and putting forward innovative ideas on how they could continue conducting business.

The Panel thanked the CEO for his time.
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Meeting held by video conference**

**Date:** 14th April 2020

| Present                          | Deputy Kirsten Morel, Chairman  
|                                 | Senator Kristina Moore  
|                                 | Deputy Jess Perchard  
| Apologies                       | Deputy David Johnson, Vice-Chairman  
| Absent                          |  
| In attendance                   | Kellie Boydens, Principal Committee and Panel Officer  
|                                 | Monique Magalhaes, Project and Research Officer  

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<tr>
<th>Agenda matter</th>
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<tr>
<td><strong>1. COVID-19 Response Review</strong></td>
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| The Panel met via video conference to discuss progress of its review of the Covid-19 crisis. The Panel noted that it was due to hold a Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture on 16th April. The Panel was advised that a draft question plan had been circulated for approval.  
| The Panel discussed measures being undertaken by other countries in response to the crisis. The Panel noted in particular a series of reports on Government support schemes in other countries by the TMF Group (an organisation which included payroll, accounting, corporate secretarial and capital markets and fund experts). The Panel agreed to read the reports and note down any suggestions which could be put forward in the Jersey context. |
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 16th April 2020

| Present          | Deputy Kirsten Morel, Chairman  
|                 | Senator Kristina Moore  
|                 | Deputy Jess Perchard |
| Apologies       | Deputy David Johnson, Vice-Chairman |
| Absent          |  |
| In attendance   | Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture  
|                 | Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture  
|                 | Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture  
|                 | Richard Corrigan, Group Director - Financial Services and Digital Economy  
|                 | Kellie Boydens, Principal Committee and Panel Officer  
|                 | Monique Magalhaes, Project and Research Officer  
|                 | Theodore Stone, Assistant Scrutiny Officer |

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<tbody>
<tr>
<td>1. COVID-19 Response: Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture</td>
<td>The Panel held a Public Hearing with the Minister, Assistant Minister and Government Officials via video conference.</td>
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</table>
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 17th April 2020

| Present | Deputy Kirsten Morel, Chairman
|         | Senator Kristina Moore
|         | Deputy Jess Perchard
| Apologies | Deputy David Johnson, Vice-Chairman
| Absent |
| In attendance | Item 5
|         | Simon Soar, Chief Executive Officer, Jersey Hospitality Association
|         | Item 6
|         | Ruth Johnson, Head of Policy, Strategic Policy, Planning and Performance
|         | John Rogers, Former Director General, Growth, Housing and Environment
|         | Richard Glover, Head of Planning, Growth, Housing and Environment
|         | Deputy Mary Le Hegarat, Chair, Health and Social Security Scrutiny Panel
|         | Deputy Carina Alves, Member, Health and Social Security Scrutiny Panel
|         | Kellie Boydens, Principal Committee and Panel Officer
|         | Monique Magalhaes, Project and Research Officer

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<tr>
<td>1. Records of Meetings</td>
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<tr>
<td>The Panel approved the records of its meetings held on 20th, 25th and 26th March 2020. The Panel raised a couple of queries in relation to the private record taken on 9th March. The Officer advised that the queries would be addressed, and the record would be attached to the next agenda.</td>
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| 2. Processes within External Relations Review | KB |
| The Panel noted that the Law Officers’ Department had been contacted to discuss the constitutional aspects of External Relations. The Officer advised that a meeting would be organised in due course. |

| 3. P.35/2020 - Draft Limited Liability Companies Amendment (Jersey) Law 201- | KB |
| The Panel recalled that it had asked Jersey Finance for views on the proposed amendments to the Limited Liability Companies Law (yet to be implemented). The Panel noted that Jersey Finance had responded and was supportive of the amendment. |
| In light of the response from Jersey Finance, the Panel requested that a Comments paper was drafted in time for the debate in May 2020. |

| 4. COVID-19 Response Review | |

17.04.2020
The Panel discussed the progress of its review and agreed that the Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture had been successful. In that regard, the Panel agreed that it should hold further Public Hearings (via video conference) with the Chamber of Commerce, Jersey Hospitality Association and another with the Minister for Economic Development. It was noted that other witnesses may be identified in due course.

The Panel agreed that it had gathered a vast amount of evidence thus far and requested that a report was drafted. The Panel agreed that the report should detail the evidence gathered since 5th March 2020 and should focus on the response of the Minister for Economic Development, Tourism, Sport and Culture.

5. COVID-19 Response: Meeting with the Chief Executive Officer of the Jersey Hospitality Association

The Panel met the Chief Executive Officer (CEO) of the Jersey Hospitality Association for a meeting on the Government’s response to Covid-19. The CEO explained that the response from the Minister for Economic Development, Tourism, Sport and Culture had been welcomed and in particular the support packages available to businesses. It was noted however that the communication surrounding the Government response in general could be improved.

The CEO explained that the Jersey Hospitality Association had been working closely with the Chamber of Commerce in order to represent and convey the concerns of the business community.

Due to an urgent briefing on the Draft Covid-19 (Construction Work) (Jersey) Regulations it was agreed that another meeting would be organised in due course with the CEO to discuss his views in more depth.


The Panel met Government Officials for a briefing on the draft Covid-19 (Construction Work) Regulations. It was noted that the draft regulations were due to be lodged by the Minister for Health and Social Services. The Head of Policy explained that the construction industry would normally be the remit of the Minister for Economic Development, Tourism, Sport and Culture however, as the regulations were a public health control measure they would be lodged by the Minister for Health and Social Services.

The purpose of the draft regulations would make it an offence, punishable by a fine, to undertake restricted construction work. The regulations would also make it an offence, punishable by a fine and/or up to two years’ imprisonment, to knowingly give false or misleading information about a site. The main purpose of the regulations was to help limit the transmission of Covid-19 by restricting some forms of construction.

The Head of Policy explained that the restriction would be implemented via Ministerial Order, signed by the Minister for Health and Social Services. The Order would restrict or prohibit construction sites to operate. The Panel requested a copy of the draft Order.

The Director General of Growth, Housing and Environment explained that the construction sites may be authorised to operate under a permit scheme. The Panel
asked why the permit scheme had already been implemented even though the draft regulations had not been approved by the States Assembly. The Director General advised that a number of permits had been issued before there was a legislative basis because a number of sites were considered essential.

It was also acknowledged that a number of sites had been instructed to close before there was a legislative basis to enforce closures. The Government Officials acknowledged that there had been no legal requirement for sites to close, or remain closed, however closures could have been introduced via a tightening of Ministerial Order under Article 5 of the Covid-19 (Screening, Assessment and Isolation) (Amendment) (Jersey) Regulations 2020.

The Director General explained that, given the unprecedented times with the Covid-19 crisis, and the associated urgency to minimise the spread of the virus, construction sites had been instructed to close by 4th April in the interests of health and safety.

The Panel explained that some construction workers had contacted Panel Members independently to raise concerns about safety whilst working on sites. The Head of Policy advised that it would be a condition of any permit issued that the contractor must display posters providing workers and others with information about who to contact if they had concerns about the operation of a site. The Panel asked whether a specific requirement could be included within the Order/permit that would ensure that employers could not force an employee to work on site. The Head of Policy agreed that this would be discussed with the Minister for Health and Social Services.

The Panel thanked the Government Officials for their time and they left the video conference.

The Panel agreed that a Comments paper should be drafted in order to inform the States debate on 21st April.

7. Future meetings

The Panel noted that its next scheduled meeting would take place on 1st May 2020 via video conference.
Date: 20th April 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore

Apologies
Deputy Jess Perchard

Absent

In attendance
Murray Norton, Chief Executive Officer, Chamber of Commerce [Item 1]
Jennifer Carnegie, President, Chamber of Commerce [Item 1]
Deputy Carina Alves, Member of the Health and Social Security Panel [Item 2]
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Project and Research Officer

Agenda matter | Action
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1. COVID-19 Response: Meeting with Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss concerns raised by the business community. The following concerns were noted:

- The CoC explained that since its previous meeting with the Panel on 7th April, communication with the business community was still an issue.

- There were concerns within the business community that the Government was procuring off-island services when they could be provided by local businesses.

- The CoC explained that there may be some businesses who had not applied for the co-funded payroll scheme and that it was unclear how many had applied to date.

- The decision to delay changes to the Goods and Service Tax (GST) due to the Covid-19 crisis and what it would mean for businesses.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.


The Panel noted and approved its Comments paper on P.49/2020. The Panel agreed that, although it supported the purpose of the proposition, it had reservations about the enforcement aspects of the permit scheme. In that regard, the Panel requested
that a meeting was organised with the Minister for Health and Social Services to discuss its concerns further.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 23rd April 2020

Present

Deputy Kirsten Morel, Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Deputy David Johnson, Vice-Chairman

Absent

In attendance

Kellie Boydens, Principal Committee and Panel Officer
Katie Griffiths, Committee and Panel Officer
Monique Magalhaes, Project and Research Officer

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<tr>
<td>1. COVID-19 Response Review</td>
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<tr>
<td>The Panel discussed the progress of its review and</td>
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<td>agreed that it had gathered some useful evidence</td>
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<td>thus far. It discussed the issues raised during</td>
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<td>the meeting with representatives from the Chamber</td>
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<td>of Commerce on 20th April and agreed that these</td>
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<td>would be discussed with the Minister for Economic</td>
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<td>Development, Tourism, Sport and Culture. In that</td>
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<td>regard the Panel was advised that its weekly</td>
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<td>catch-up meeting with the Minister had been</td>
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<td>rescheduled to 24th April.</td>
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<td>The Panel noted that a decision had been made to</td>
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<td>delay changes to the Goods and Services Tax (GST)</td>
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<td>due to the Covid-19 crisis. The Chamber of</td>
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<td>Commerce had highlighted this as a potential issue</td>
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<td>for businesses and the Panel agreed that it would</td>
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<td>request a formal response from the Chamber of</td>
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<td>Commerce on this issue. Once a formal response</td>
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<td>had been received, the Panel agreed that it would</td>
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<td>ask other organisations, such as the Jersey</td>
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<td>Retail Association and Jersey Hospitality</td>
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<td>Association for their views.</td>
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<td>The Panel recalled a suggestion from Deputy</td>
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<td>Perchard that its work on Covid-19 should include</td>
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<td>the future recovery programme. The Panel agreed</td>
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<td>that this would be included in its review and it</td>
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<td>was agreed that Deputy Perchard and Officers from</td>
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<td>the Scrutiny section would discuss how this could</td>
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<td>be approached. It was agreed that the outcome of</td>
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<td>the discussion would be discussed by the Panel in</td>
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<td>due course.</td>
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2. Channel Islands Competition and Regulatory Authorities (CICRA)

The Panel discussed the announcement that CICRA would de-merge from 1st July 2020. The Panel was disappointed that it had not been advised of the decision before it had been announced in the media.

The Panel noted that a letter had been drafted to the Minister for Economic Development, Tourism, Sport and Culture requesting all correspondence in relation to this matter. The Panel agreed that it would be important to understand how the decision had been made. The Panel also requested that a letter was drafted to the
Chief Executive of CICRA to ask what level of consultation there had been in the lead up to the decision.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 24th April 2020

Present

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<tr>
<td>Deputy Kirsten Morel, Chairman</td>
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<tr>
<td>Senator Kristina Moore</td>
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<td>Deputy Jess Perchard</td>
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Apologies

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<tr>
<td>Deputy David Johnson, Vice-Chairman</td>
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Absent

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<tr>
<td>Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture</td>
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<tr>
<td>Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture</td>
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<tr>
<td>Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture</td>
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<td>Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture</td>
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<tr>
<td>Darren Scott, Director, Economic Development, Growth, Housing and Environment</td>
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<tr>
<td>Richard Corrigan, Group Director - Financial Services and Digital Economy</td>
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<tbody>
<tr>
<td><strong>1. Meeting with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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<tr>
<td>The Panel met the Minister, Assistant Ministers and Government Officials via video conference. The meeting was predominantly to discuss the Minister’s response to Covid-19 but other business as usual matters were also discussed.</td>
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<tr>
<td><strong>COVID-19 Response</strong></td>
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<td>The Panel had previously been advised by the Minister that an updated co-funded payroll scheme was being explored. It was noted that the guidance for phase 2 of the scheme was due to be published imminently. The Panel requested the details of the updated scheme as soon as they were available as well as the guidance document for phase 2.</td>
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<td><strong>Draft Liquor Licensing (Jersey) Law 202-</strong></td>
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<td>The Panel asked for an update on the Draft Liquor Licensing Law. The Minister advised that, pre-Covid-19, a meeting had taken place with the Bailiff and HM Attorney General. The Assistant Minister (Senator Pallett) advised that he was committed to working with Officials from Strategic Policy, Planning and Performance</td>
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to lodge a final version of the Law. It was noted that work on it had been superseded by other legislative matters related to Covid-19 and that the Assistant Minister was mindful that there had to be adequate resources for it to be taken forward.

**Channel Islands Competition and Regulatory Authorities (CICRA)**

The Minister noted that the Panel had requested all correspondence relating to the decision to demerge CICRA. The Minister advised that the information would be passed onto the Panel as soon as possible.

**Allocation of lottery funds**

The Panel recalled that a Proposition (P.33/2020) had been lodged on 25th March by the Minister which had asked the States to approve the allocation of £1,762,380, to be given in tranches, to the Association of Jersey Charities. The Minister had subsequently withdrawn the Proposition due to a new coalition of organisations called the Funders’ Group which had been created to distribute money for charities to help with the Covid-19 response.

The Panel was provided with an update on the Funders’ Group and it was noted that formal arrangements between it and the Government of Jersey would be agreed in due course. It was agreed that the Panel would be provided with an update on this work during the week commencing 27th April.

The Panel thanked the Minister, Assistant Ministers and Government Officials for their time and they left the video conference.

The Panel agreed that a review of the de-merging of CICRA may be necessary. A final decision on the matter would be made once the Panel had received all of the information it had requested from the Department.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 28th April 2020

Present

Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance

Kellie Boydens, Principal Committee and Panel Officer

Item 1

Murray Norton, Chief Executive Officer, Chamber of Commerce
Jennifer Carnegie, President, Chamber of Commerce

Item 2

Ian Burns, Director General, Customer and Local Services
Sue Duhamel, Director, Employment and Social Security
Kim Baker, Private Secretary, Minister for Social Security
Deputy Mary Le Hegarat, Chair, Health and Social Security Scrutiny Panel
Deputy Kevin Pamplin, Vice-Chair, Health and Social Security Scrutiny Panel
Deputy Trevor Pointon, Health and Social Security Scrutiny Panel
Deputy Carina Alves, Health and Social Security Panel
Sammy McKee, Committee and Panel Officer
Monique Magalheas, Research and Project Officer
Ben Walker, Research and Project Officer

Agenda matter

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<tr>
<td><strong>1. Covid-19 Response: Meeting with the Chamber of Commerce</strong></td>
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<tr>
<td>The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:</td>
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<td>• The CoC explained that a number of “Think Tanks” had been established which were focussing on economic recovery. It was noted that these Think Tanks had been established separately by both private organisations and the Government. It was the Chamber’s view that this had resulted in a fragmented approach.</td>
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The Panel discussed the possibility of organising a meeting with the Minister for Economic Development, Tourism, Sport and Culture and representatives from the business community for a “round table” discussion on the concerns and plans for future recovery. The Panel agreed that this would be explored further in due course and would need the Minister’s agreement in the first instance.

- It was agreed that the recovery programme should be based on a short, medium and long-term plan.

- The co-funded payroll scheme was discussed and it was noted that guidance on phase 2 of the scheme had been published on 24th April. The CoC raised a concern that, in order for self-employed workers to be eligible for the scheme, the subsidy was calculated using a self-declared average monthly gross income for 2019. This would be compared to the gross income confirmed on their 2019 tax return and subsequent tax assessment, but some businesses would not yet have returned their tax forms.

- The CoC advised that fuel suppliers were struggling due to the crisis and that they were a critical infrastructure.

- The CoC advised that businesses were already planning for a gradual lift in the lockdown measures. In that regard it was noted that some restaurants and bars were thinking of ways in which they could operate safely, whilst adhering to the social distancing rules.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.

**2. Covid-19 Response: Meeting with Director General, Customer and Local Services**

The Panel met the Director General (DG) and Government Officials from the Customer and Local Services Department to discuss how the co-funded payroll scheme interacted with the income support system.

The Panel asked the DG for a breakdown of the figures relating to how many people had applied for the payroll scheme and the Covid Related Emergency Support Scheme (CRESS). It was noted that the payroll scheme refunded employers in eligible businesses a proportion of their wage bill and the CRESS scheme aimed to support people who had worked in Jersey for less than 5 years and had lost their full-time employment due to Covid-19.

The DG explained that the Statistics Unit was due to publish a breakdown of the figures on 1st May, so any figures provided during the briefing were approximate. It was noted that since 20th March, around 1,000 people had applied for income support and around 300 people had applied for CRESS. The DG confirmed that CRESS was not backdated for those people who had not applied for the scheme immediately after it was implemented.

The DG advised that he expected the number of those Actively Seeking Work (ASW) to increase. The Government of Jersey was currently awaiting official forecasts from the Economics Unit.
The Panel asked whether any consideration had been given to assisting those with mortgages. The Head of Policy explained that, during the last recession in 2008, support for homeowners was considered but the demand had not been apparent to implement a support scheme. The Head of Policy advised that homeowners could claim income support for some bills such as Parish rates, but no support was currently available for mortgage payments. During the current Covid-19 crisis and the likely recession it would cause, the Department would be keeping support schemes under review.

In terms of other support services, the DG explained that the Customer and Local Services Department had assisted 25 people to travel to their home countries.

It was noted that, at the start of the pandemic, the Department had received many enquiries in relation to support services including income support, repatriation and social security contributions. The Panel asked whether it was likely that some people had “fallen through the net” in receiving support. The DG explained that, if people were not eligible to claim Government support, the Department had been contacting organisations from the voluntary sector for assistance.

The DG explained that, following the closure of the Paul Davis Freight Company and Rainbow Tots nursery, the Department had contacted a number of employees from the two companies to offer the insolvency benefit. The Head of Policy explained that the insolvency benefit had been created after the collapse of Woolworths in 2008. The Head of Policy explained that the benefit replicated pay for employees such as holiday pay and redundancy pay. It was confirmed that those accessing the insolvency benefit could then access the income support benefit.

A discussion on the co-funded payroll scheme followed and it was noted that the scheme was being administered by Customer and Local Services. It had been developed by the Treasury and Resources Minister with support from other Ministers including the Minister for Economic Development, Tourism, Sport and Culture.

The Head of Policy explained that, unlike the UK, the scheme allowed people to work even though they had applied for support. The DG explained that to date, a number of people from the retail and hospitality sectors had applied for the scheme. The DG advised that the Department was still processing claims but around 770 businesses had applied for the scheme which covered around 5,900 employees.

The DG explained that phase 2 of the payroll scheme was due to open for claims on 1st May. The implementation of phase 2 had been delayed due to the changes to the scheme and the subsequent guidance. The DG explained that the aim was that the first batch of payments would be made on 5th May.

The Panel asked whether the Department had been dealing with many enquiries about the scheme. The DG confirmed that the Department had dealt with a number of enquiries and that they had been working closely with Jersey Business. For businesses who were newly established, the DG also confirmed that those cases would be looked at on a bespoke basis.

The Panel thanked the Government Officials for their time and they exited the video conference.


28.04.2020
The Panel discussed the progress of its review and agreed that it should be more proactive in gathering information and not just reactive. In that regard, the Panel agreed to develop a short online survey for businesses who had accessed the co-funded payroll scheme. The survey responses would be analysed and a short report would be presented, along with the Panel's findings and/or recommendations.

The Panel agreed that it would aim to undertake a number of surveys on focussed topics with a view to presenting further short reports to Ministers under its remit. The Panel agreed that it should aim to undertake this process on a fortnightly basis.

The Panel agreed that it would formulate a number of questions for the survey to discuss at its next meeting on 29th April.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 29th April 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance Kellie Boydens, Principal Committee and Panel Officer

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The Panel discussed its first survey targeted at the business community. The Panel agreed a number of questions for the survey which were focussed on the co-funded payroll scheme. It was agreed that the questions should be sent to Statistics Jersey for their comments.

The Panel agreed that once the questions were confirmed, the survey would be publicised on the website and on social media.

The Panel was advised that a company called “The Resolution Centre” (a consultancy company) had contacted the States Greffe offering its services. In relation to Scrutiny, the Resolution Centre had offered its assistance in gathering and collating views on the Government’s response to Covid-19. The Panel requested further information on the company and the services it could provide. The Panel agreed that, should it engage a professional services company, other companies should be considered to ensure a formal tendering process.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 30th April 2020

Present
- Deputy Kirsten Morel, Chairman
- Deputy David Johnson, Vice-Chairman
- Senator Kristina Moore
- Deputy Jess Perchard

Apologies

Absent

In attendance
- Senator Ian Gorst, Minister for External Relations
- David Walwyn, Director, External Relations
- James Roberts, Lead Policy Advisor, Financial Services
- Kate Nutt, Group Director, External Relations
- Tom Le Feuvre, Director, Global Markets & International Agreements
- Tom Wherry, Lead Policy Advisor, Financial Services and Brexit
- David Le Marquand, Private Secretary to the Minister for External Relations
- Beth Davies, Principal External Relations Officer (Brexit and Trade)
- Kellie Boydens, Principal Committee and Panel Officer
- Monique Magalhaes, Research and Project Officer

Agenda matter

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<tr>
<td>1. Meeting with the Minister for External Relations</td>
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The Panel met the Minister for External Relations and Government Officials. The Minister firstly provided the Panel with an update on what work was being undertaken in relation to the Covid-19 response, and then explained other business as usual workstreams.

**Covid-19 Response**

The Minister explained that Government Officials from External Relations had been liaising with UK counterparts in order to undertake consular work. It was noted that a number of islanders had been in the UK when lockdown measures had been introduced. In the same vein, Officials had also organised the repatriation of Polish, Portuguese, Madeiran and Romanian citizens residing in the island.

The Minister explained that the Global Markets Team within External Relations had worked with Blue Islands to ensure that an air service was provided for essential travel. It was noted that the service was between Southampton and Jersey and operated on a non-commercial basis, only being accessible to passengers who met the essential travel criteria. The travel criteria included:

- Essential government workers or contractors travelling to/from Jersey for the purposes of their work.
- Essential private or voluntary sector workers for the purposes of their work.
- Those travelling to/from the UK for non-emergency medical treatment.
- Those travelling to reach a permanent home in Jersey or the UK, or travel on urgent compassionate grounds.
- Non-British nationals travelling to reach a permanent home outside the UK.

The Minister explained that the team had also been corresponding with Officials from China and the United States about Personal Protective Equipment and testing.

**Brexit**

The Panel noted that the UK’s withdrawal from the European Union on 31st January had included a transition period until 31st December. During this time, the UK remained in the single market until a long-term relationship was agreed. If no agreement was reached and the transition period was not extended, a no-deal Brexit would remain the default outcome in January 2021. The Panel asked what impact the Covid-19 crisis had had on negotiations. This part of the meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.

**Organisation for Economic Co-operation and Development (OECD) work on Taxation of the Digital Economy**

The Minister and Officials provided the Panel with an overview of the OECD work on taxation of the digital economy. This part of the meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.

The Panel thanked the Minister and Government Officials for their time and they exited the video conference.
Record of Meeting

Meeting held by video conference

Date: 1st May 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

Item 3

Deputy Richard Renouf, Minister for Health and Social Services
Andrew Scate, Acting Director General, Growth, Housing and Environment
John Rogers, Former Director General, Growth, Housing and Environment
Richard Glover, Head of Planning, Growth, Housing and Environment
Simon Thomas, Principal Building Control Surveyor
Carl Dodd, Senior Engineer, Growth, Housing and Environment
Ben Walker, Research and Project Officer

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<th>Agenda matter</th>
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<tr>
<td>1. Records of Meetings</td>
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<tr>
<td>The Panel noted and approved the records of its meetings held on 9th and 31st March and 3rd, 7th, 8th, 14th, 16th, 17th, 20th April 2020.</td>
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<tr>
<td>2. Covid-19 Response Review</td>
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<tr>
<td>In terms of the Panel’s survey targeted at the business community, the Panel noted comments from Statistics Jersey. The Panel agreed that it would review the comments and discuss and confirm the list of questions for its survey the week commencing 4th May.</td>
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<tr>
<td>3. Covid-19 Response: Meeting with the Health and Social Services Minister</td>
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<tr>
<td>The Panel met the Minister for Health and Social Services and Government Officials for a briefing on the enforcement aspects of the permit scheme under P.49/2020 (Covid-19 (Construction Work) (Jersey) Regulations). It was noted that sites had been categorised and the granting of permits had been prioritised A, B and C:</td>
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<tr>
<td>• Category A - sites which provided critical national infrastructure and services which kept the Island’s residents and environment safe and secure.</td>
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• Category B: sites and services which provided services to the public which could operate safely in accordance with the site operating procedures.

• Category C: all other sites and services which were currently operating and could operate safely in accordance with the site operating procedures.

The Panel asked how many permits had been granted under category A. The former Director General of Growth, Housing and Environment advised that 170 applications had been received in total, 3 had been cancelled, 61 were under review and 66 permits had been issued. Under category A, 32 permits had been granted to date.

In relation to the application process, it was noted that there was an online form that applicants were required to fill out. Government Officials from the Growth, Housing and Environment Department would review the applications and determine whether a permit should be granted. Officers would look at the application documents and assess whether the applicant had sufficiently understood social distancing procedures and hygiene risks and whether they had adequate procedures and controls to implement social distancing and hygiene requirements on site.

The Principal Building Control Surveyor explained that the process so far had been collaborative with construction site agents. The primary purpose of the permit scheme was to ensure sites were operating safely.

Once a permit had been granted to a construction site and the “Reviewer” had reviewed the applicant’s Risk Assessment and Method Statement (RAMS) a site visit would follow. In that regard, the Panel received a flowchart from the Principal Building Control Surveyor. It provided further explanation of the site visit process and when a breach was found. If it was a minor breach, the surveyor would engage with and educate the site agent. If a major breach was found, the surveyor would encourage the site agent to take action and enforce as necessary. It was noted that a result of a major breach could either be a withdrawal of the permit or a prosecution. In either eventuality, work on the construction site would be suspended.

The Panel thanked the Government Officials for their time and they exited the video conference.

4. Review of External Relations Processes

The Panel noted that the Law Officers’ Department had agreed that it would meet the Panel to discuss the constitutional aspects of external relations. The Panel agreed that, as its workload was high, it would meet an Officer from the Department in due course.

5. Government Plan

The Panel noted that the Scrutiny Liaison Committee had requested that all Panels review their respective sections of the report (S.R.13/2020) on the Government Plan 2020 – 2023. It was advised that the purpose was to start a process of assessment and prioritisation of current Government Plan projects and initiatives and review how that have already changed, or may need to change, due to Covid-19 in preparation for the forthcoming Government (Recovery) Plan 2021.

The Panel agreed that it would undertake a review of the projects within its remit. It agreed that it would undertake this work in the coming months.
<table>
<thead>
<tr>
<th></th>
<th>P.55/2020 - Draft Air Navigation (Rules of the Air) Amendment No.2 (Jersey)</th>
<th>KB</th>
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<tr>
<td>6</td>
<td>The Panel noted that P.55/2020 had been lodged by the Minister for External Relations and was due to be debated on 16th June. The Panel requested a briefing on the Proposition.</td>
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<th>P.35/2020 – Draft Limited Liability Companies Amendment (Jersey) Law 201-</th>
<th>KB</th>
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<td>7</td>
<td>The Panel was advised that Comments were being drafted and would be circulated in due course for approval.</td>
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<th>Channel Island Competition Regulatory Authority</th>
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<td>8</td>
<td>The Panel noted that the information it had requested from the Growth, Housing and Environment Department had been received. The Panel agreed to review the documentation and discuss it at its next meeting.</td>
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<tr>
<th></th>
<th>Dogs on Beaches</th>
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<td>9</td>
<td>The Panel noted that a Proposition was due to be lodged by the Assistant Minister for Economic Development, Tourism, Sport and Culture that proposed to allow pet owners to continue walking their dogs on beaches without a lead during May. The Panel agreed that it would undertake a short review into the matter and requested that a briefing was organised with the Assistant Minister.</td>
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<th>Future Meetings</th>
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<td>10</td>
<td>The Panel noted that its next scheduled meeting would take place via video conference call on 22nd May 2020.</td>
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</table>
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 7th May 2020

| Present | Deputy Kirsten Morel, Chairman  
          | Deputy David Johnson, Vice-Chairman  
          | Senator Kristina Moore |
|---------|----------------------------------|
| Apologies | Deputy Jess Perchard |
| Absent |  |
| In attendance | Kellie Boydens, Principal Committee and Panel Officer  
                      | Monique Magalhaes, Research and Project Officer |

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<tr>
<td>The Panel met to discuss the progress of its review. In terms of the Panel’s survey targeted at the business community, the Panel received an update on its progress. The Panel was advised that it had received a draft list of questions which needed to be approved before they were inputted into the online survey. The Panel was also advised that a communications plan had been drafted and would be implemented once the questions were approved. In that regard the Panel agreed to review the questions and approve them in due course.</td>
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<td>The Panel recalled that the Government of Jersey had indicated that, as part of the next level of unlock measures, hospitality businesses may be able to open their outside seating areas to serve food from 12th May. The Panel anticipated that the Government of Jersey would issue guidelines for businesses and requested a copy from the Growth, Housing and Environment Department. The Panel agreed that, once it had received a copy of the guidance, it would invite the Minister for Economic Development, Tourism, Sport and Culture to attend a Public Hearing.</td>
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<tr>
<td><strong>2. Channel Island Competition Regulatory Authority</strong></td>
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<td>The Panel noted that the information it had requested from the Growth, Housing and Environment Department had been received. The Panel agreed to review the documentation and discuss its next steps.</td>
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<td><strong>3. Dogs on Beaches</strong></td>
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<tr>
<td>The Panel noted that a Proposition to allow pet owners to continue walking their dogs on beaches without a lead during May was no longer being pursued by the Growth, Housing and Environment Department.</td>
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Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 11th May 2020

Present
Deputy Kirsten Morel, Chairman [Item 1]
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore

Apologies
Deputy Jess Perchard

Absent

In attendance

**Item 1**
Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture
Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture
Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture
Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture
Richard Corrigan, Group Director - Financial Services and Digital Economy
Dan Houseago, Group Director - Economy

**Item 2**
Murray Norton, Chief Executive Officer, Chamber of Commerce
Jennifer Carnegie, President, Chamber of Commerce
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

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<th>Agenda matter</th>
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<tr>
<td><strong>1. Covid-19 Response Review: Meeting with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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<tr>
<td>The Panel met the Minister, Assistant Ministers and Government Officials via video conference to receive an update on the Minister’s response to the Covid-19 crisis. The Minister advised that a press conference had been held earlier in the day to inform the public that Jersey had moved from Level 4 to Level 3 of the Safe Exit Framework. The Panel asked whether there had been any feedback from businesses and the Minister explained that some businesses were happy that they could reopen. The Panel noted that some businesses were unable to reopen under the Level 3 policy including dentists, opticians and hair salons. The Minister advised that the Government of Jersey was exploring ways in which businesses, who were unable to practice safe physical distancing, could reopen.</td>
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The Panel asked whether businesses were in supply of Personal Protective Equipment (PPE). The Minister advised he had not received any feedback from businesses in respect of PPE but it was acknowledged that it was more expensive to buy such items in small quantities.

The Panel noted that concerns had been expressed by Jersey Gas in relation to the company not being included in the co-funded payroll scheme. It was noted that a proposition had been lodged by Deputy Southern which asked the States Assembly to agree that the Minister should include Jersey Gas in the list of employers able to participate in the scheme. The Minister advised that he would not support the proposition and that utility companies had not been included because they were continuing to be used across the island.

The Panel thanked the Minister, Assistant Ministers and Government Officials for their time and they withdrew from the meeting.

### 2. Covid-19 Response Review: Meeting with the Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:

- The CoC advised that the recent announcement to move from Level 4 to Level 3 on the Safe Exist Framework had been welcomed by some businesses, but the guidance published alongside the Level 3 policy should have been published earlier. The CoC explained that this would have provided businesses with more time to implement the measures contained in the guidelines.

- In terms of consultation, the Chair of CoC also advised that businesses had been required to submit their views on the guidelines quickly.

- In relation to the Level 3 policy, the CoC raised concern that, whilst some businesses were able to reopen and therefore employees would be able to return to work, schools would remain shut. Therefore, access to childcare could be an issue for some employees.

- It was noted that a number of “Think Tanks” had been established which were focussing on economic recovery. The CoC raised concern that the Think Tanks had been established separately by both private organisations and the Government which had resulted in a fragmented approach.

The Panel thanked the Chair and President of the CoC and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 14th May 2020

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<tr>
<td>Deputy Kirsten Morel, Chairman</td>
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<td>Deputy David Johnson, Vice-Chairman</td>
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<tr>
<td>Deputy Jess Perchard</td>
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<td>Senator Kristina Moore</td>
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<th>Apologies</th>
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<tr>
<th>In attendance</th>
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<tr>
<td>Ruth Johnson, Head of Policy, Strategic Policy, Planning and Performance</td>
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<tr>
<td>Deputy Mary Le Hegarat, Chair, Health and Social Security Scrutiny Panel</td>
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<tr>
<td>Deputy Kevin Pamplin, Vice-Chair, Health and Social Security Scrutiny Panel</td>
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<tr>
<td>Deputy Carina Alves, Member, Health and Social Security Scrutiny Panel</td>
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<td>Deputy Trevor Point, Member, Health and Social Security Scrutiny Panel</td>
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<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<td>Monique Magalhaes, Research and Project Officer</td>
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<td>Aaron Travers, Research and Project Officer</td>
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<td>Ben Walker, Research and Project Officer</td>
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**Agenda matter**


The Panel, along with the Health and Social Security Scrutiny Panel, met the Head of Policy for a briefing on the above proposition. It was noted that the draft Regulations had been lodged by the Minister for Health and Social Services on 14th May 2020 and were due to be debated on 19th May. The Panel raised a concern that the time afforded to scrutinise the Regulations was not sufficient and that it was disappointed the Minister for Health and Social Services was not present for the briefing.

The Head of Policy explained that the draft Regulations would make it an offence, punishable by a fine, to open a workplace in contravention of a restriction Order. The draft Regulations were intended to provide the legislative measures to support a managed relaxation of the public health controls imposed to protect against the spread of Covid-19. The aim was to support a safe transition to “back to business”.

The Panel was advised that the draft Regulations would replace the existing Covid-19 (Restricted Trading) (Jersey) Regulations 2020 but not the existing Covid-19 (Construction Work) (Jersey) Regulations 2020. The Head of Policy explained that replacing the Restricted Trading Regulations would ensure that there was one single legislative regime that applied to all workplaces. This would avoid any complications.
that could occur in some dual or multi-purpose businesses. For example, if a firm was providing both business-to-business services (not trade) and services directly to members of the public (trade) on a single site.

The Head of Policy explained that a workplace was defined in the draft Regulations as any place in which a person worked, whether outdoors or indoors, in any part of a building, vehicle or vessel. Furthermore, the workplace would not include a person’s home – unless a service was provided to another person in that home, for example, clients attending appointments in a professional’s own home.

The Panel was asked whether the Regulations were necessary, given that a Health and Safety at Work (Jersey) Law 1989 already existed. The Head of Policy advised that the Law was unable to introduce all of the necessary provisions required, for example, staggered opening times.

The Panel thanked the Head of Policy for her time and requested that a second briefing was organised with the Minister for Health and Social Services in attendance.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 15th May 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Deputy Jess Perchard [Item 1]
Senator Kristina Moore

Apologies
Absent

In attendance
Kellie Boydens, Principal Committee and Panel Officer

Item 1

Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture
Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture
Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture
Richard Corrigan, Group Director - Financial Services and Digital Economy
Megan Mathias, Group Director, Policy, Strategic Policy, Planning and Performance
Dan Houseago, Group Director, Economy, Growth, Housing and Environment
Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture

Theodore Stone, Assistant Scrutiny Officer

Item 2

Deputy Richard Renouf, Minister for Health and Social Services
Ruth Johnson, Head of Policy, Strategic Policy, Planning and Performance

Deputy Mary Le Hegarat, Chair, Health and Social Security Scrutiny Panel
Deputy Kevin Pamplin, Vice-Chairman, Health and Social Security Scrutiny Panel
Deputy Carina Alves, Member, Health and Social Security Scrutiny Panel

Agenda matter | Action
---|---
1. COVID-19 Response: Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture | The Panel held a Public Hearing with the Minister, Assistant Minister and Government Officials via video conference.

15.05.2020

The Panel, along with the Health and Social Security Scrutiny Panel, met the Minister for Health and Social Services and Head of Policy for a briefing on the Covid-19 (Workplace Restrictions) (Jersey) Regulations 202- (the ‘draft Regulations’). It was recalled that both Panels had received a briefing from the Head of Policy on 14th May but had requested an additional briefing with the Minister.

The Panel asked whether the draft Regulations were necessary, given that the Health and Safety at Work (Jersey) Law 1989 already existed. The Head of Policy advised that an options analysis was carried out by Strategic Policy, Planning and Performance which considered a number of options including whether the Health and Safety at Work Law could facilitate all of the provisions intended within the draft Regulations.

The result of the analysis was that the Health and Safety at Work Law could not introduce all of the necessary provisions, for example, there were no adequate controls under the Law to provide for staggered opening times or for businesses to remain shut. It was noted that the ability to stagger opening times, or keep businesses in certain locations shut, may be needed to help manage footfall and therefore help limit Covid-19 transmission. The Minister advised that the decision was taken to draft a new set of Regulations which were time limited and were drafted specifically to deal with the Covid-19 emergency.

The Panel noted that the Covid-19 (Restricted Trading) (Jersey) Regulations 2020 already provided controls on business premises for the purpose of trading. In that regard, the Panel questioned why a new set of Regulations was required and whether it would be possible to rely on the Restricted Trading Regulations and issue a Code of Practice under the Health and Safety at Work Law. The Head of Policy advised that it was not clear whether it would be possible to make a distinction between places of work under the Restricted Trading Regulations (i.e. trading businesses) and other places of work (i.e. trade and non-trade businesses). Therefore, the most appropriate course of action agreed by the Minister was to draft a new set of Regulations which would ensure that services delivered from a single place of work would not fall under two different sets of Regulations.

The Panel noted the short time period from when the draft Regulations were lodged and the debate date. The Panel expressed its disappointment of the short timescale to undertake scrutiny on the legislation. The Minister acknowledged the Panel’s concerns and agreed to provide scrutiny with the Ministerial (restriction) Order before it was signed. The Minister advised that an amendment to reflect the decision would be lodged imminently.

The Panel thanked the Minister and Head of Policy for their time and they exited the video conference.

The Panel requested that a Comments paper was drafted to inform the States debate scheduled for 19th May.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 21st May 2020

| Present     | Deputy Kirsten Morel, Chair  
|            | Deputy Jess Perchard  
|            | Senator Kristina Moore  
| Apologies  | Deputy David Johnson, Vice-Chair  
| Absent     |  
| In attendance | Dan Marcos, Head of International Compliance, Office of the Chief Executive  
|            | Gregory White, Legal Advisor, Law Officers’ Department  
|            | Kellie Boydens, Principal Committee and Panel Officer  
|            | Monique Magalhaes, Research and Project Officer  
|            | Ben Walker, Research and Project Officer  

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The Panel met the Head of International Compliance and Legal Advisor for a briefing on the above proposition. It was noted that the draft Regulations primarily sought to update and expand the definition of “safety-sensitive personnel” to include:

- aerodrome operations personnel,
- rescue,
- fire-fighting and maintenance personnel,
- personnel allowed unescorted access to the movement area

These inclusions were in addition to crew members, aircraft maintenance personnel and air traffic controllers. The Head of International Compliance also advised that the Regulations would improve the safety of civil aviation in Jersey and would bring the Rules of the Air Regulations in line with the current Standardised European Rules of the Air (SERA). It was noted that safety-sensitive personnel were prohibited from undertaking a function while under the influence of any psychoactive substances.

The Panel asked for the definition of “psychoactive substances”. It was agreed that the Legal Advisor would check existing legislation and provide a response to the Panel in due course.

The Panel also asked whether Ports of Jersey personnel were included under the definition of 'safety-sensitive personnel'. The Head of International Compliance advised that he would check the definition and provide a response to the Panel in due course.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 22nd May 2020

| Present | Deputy Kirsten Morel, Chair  
Deputy David Johnson, Vice-Chair  
Deputy Jess Perchard  
Senator Kristina Moore |
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<td>In attendance</td>
<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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**Agenda matter**

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1. **Records of Meetings**

The Panel noted and approved the records of its meetings held on 23rd, 24th, 28th, 29th and 30th April 2020 and 1st and 7th May 2020.

2. **Covid-19 Response Review**

The Panel received a draft Scoping Document and Terms of Reference for its joint review with the Corporate Services Panel on the Covid-19 recovery work. It was noted that both the Scoping Document and Terms of Reference had been drafted collaboratively with the Corporate Services Scrutiny Panel due to the crossover of remits. The Panel approved both documents.

The Panel recalled that it was due to issue an online survey to the business community. It was noted that two other surveys, similar to the Panel's, had been undertaken by private organisations. The Panel agreed that it would delay issuing its survey and would discuss the matter again in due course. It was agreed that the survey may be broadened to include other areas in relation to the Covid-19 crisis.

3. **External Relations Processes**

The Panel noted that a meeting with two Law Officers would take place on 1st June at 10:30am.

4. **Channel Island Competition Regulatory Authority**

The Panel agreed that it would review the decision-making process to demerge CICRA into two separate regulatory authorities for Jersey and Guernsey. In that regard, the Panel requested the Officer to draft a Scoping Document and Terms of Reference for approval.

5. **Minister for International Relations**

The Panel noted that, due to its work on the Covid-19 crisis, it had not met with the Minister for International Development. In that regard, the Panel requested that a Quarterly Hearing was arranged with the Minister in due course.
6. Future Meetings

The Panel noted that its next scheduled meeting would take place on 12th June 2020 via video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 27th May 2020

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<td>Deputy Jess Perchard</td>
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<td>Senator Kristina Moore</td>
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<td>In attendance</td>
<td>Murray Norton, Chief Executive Officer, Chamber of Commerce</td>
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<td>Jennifer Carnegie, President, Chamber of Commerce</td>
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<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<td>Ben Walker, Research and Project Officer</td>
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Agenda matter | Action
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1. Covid-19 Response Review: Meeting with the Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:

- The CoC raised concerns about cyber security given the increase in employees working remotely from home.

- The CoC also raised concerns about the Minster for Social Security’s announcement about family friendly legislation. The Minister had lodged a proposition to implement the 52 weeks leave for both parents, with 6 weeks paid by the employer on 28th June (Appointed Day Act). As an interim measure, a temporary subsidy scheme would be introduced to support employers with their additional costs, once the legal right for paid leave had been extended.

The CoC was concerned about the timing of the parental leave measures and had met the Minister to relay its concerns. During the meeting the CoC had urged the Minister to consider a delay to the start of the legislation by at least 8 weeks.

- The CoC raised the issue of the GST de minimis level and the impact on local retailers. It was the CoC’s view that the de minimis level placed local businesses at a disadvantage, compared to those selling online into the island from overseas. It was acknowledged that the Covid-19 crisis had increased the demand for purchasing items online and had placed island businesses at a further disadvantage.
• It was noted that measures had been recently introduced to pedestrianise certain roads in St Helier. The CoC advised that there had been no consultation with businesses about the new measures and some large and small retailers were concerned. It was unclear as to whether other stakeholders had been consulted about the changes such as disability groups.

The Panel thanked the Chair and President of the CoC for their time and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 28th May 2020

Present
Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance
Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture
Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

Agenda matter | Action
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1. Covid-19 Response: Meeting with the Minister for Economic Development, Tourism, Sport and Culture

The Panel met the Minister via video conference to discuss the response to the Covid-19 outbreak in respect of his remit.

The Panel noted that an in-committee debate on the Economic Recovery Strategy was due to take place on 2nd June. The Minister explained that it was important that all members of the States Assembly were involved in the rebuilding of the economy. It was noted that the Economic Recovery Strategy would be provided to the Panel and the States Assembly before the debate.

The Panel asked what consideration the Council of Ministers had given to the Economic Recovery Strategy. The Minister explained that the Council of Ministers had approved the framework for the strategy, however, no detailed discussions for the recovery process had been undertaken.

The Panel questioned the Minister in relation to the structure of the Economic Council and Political Oversight Group. The Minister explained that the Political Oversight Group sat below the Economic Council and that the Council would act as a conduit to bring together information which would be used to gain ideas for the economic recovery process. The Minister advised that the framework for this had been agreed, however, the Terms of Reference were still being considered.

The Panel asked when the Economic Council activity would commence. The Minister explained that the first Economic Council meeting was likely to take place the week commencing 1st June and that the Political Oversight Group had already met on two
occasions. The Minister emphasised the importance of commencing this activity as quickly as possible as it was vital to the rebuilding of the economy.

The Minister explained that some businesses, particularly in the hair and beauty sector needed to reopen otherwise many of them would close.

The Panel asked the Minister which sectors had suffered the most by the Covid-19 position. The Minister explained that it was likely that the tourism sector had been worst hit by the crisis. The Minster went on to state that many businesses that had been allowed to open were experiencing a quiet period as the public adjusted to the new level 3 guidelines.

The Minister explained that some businesses had highlighted concerns around the claim structure of the Co-funded Payroll Scheme whereby a business needed to demonstrate a reduction of 70% in the month for which they made the claim. An example of an alfresco restaurant was given, where the improvement in the weather had meant that the restaurant for the month of June could fall just outside of the bracket of eligibility and may not be able to claim for that month. The Panel explained that, nevertheless, the business would still require support. The Minister explained that the requirement was for the Scheme to cover an accumulative period rather than considering the income received on a monthly basis.

The Panel questioned the Minister on potential reciprocal travel arrangements with other jurisdictions, an example of Madeira as a possible destination was mentioned. The Minister stated that he was not aware of discussions around such arrangements with Madeira, however, suggested that a “travel bubble” within the Channel Islands would be a good idea. The Minister explained that controlling Jersey’s borders was paramount and that a reliable testing regime was needed before travel links could commence. Furthermore, he explained that discussions were being undertaken with regards to a testing regime.

The Panel asked whether saliva testing was a possibility as part of the testing regime for travellers arriving into Jersey. The Panel suggested that as Jersey had managed to control the virus outbreak, this could potentially be a unique selling point (USP) for Jersey which could increase travellers to Jersey from the United Kingdom. The Minister agreed that it could be a USP for Jersey as people wanted to go on holiday somewhere safe, however, it was important that Jersey had a robust and reliable testing regime.

The Panel thanked the Minister and his Private Secretary for their time and they exited the video conference.

2. Family Friendly Employment Rights

The Panel discussed the Minister for Social Security’s decision to bring forward the Appointed Day Act in respect of the changes to the family friendly employment law during the current Covid-19 Crisis. The changes would extend family-friendly rights to include six weeks paid leave for both parents. The Panel requested that a letter was drafted to the Minister regarding the timing of the implementation of the proposals which would coincide with the covid-19 crisis and could cause an additional burden for businesses at this time.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 1st June 2020

Present

Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard [Item 1 and part of item 2]

Apologies

Absent

In attendance

Item 1

Matthew Berry, Legal Advisor, Law Officers’ Department
Victoria Bell, Legal Advisor, Law Officers’ Department

Item 2

Murray Norton, Chief Executive Officer, Chamber of Commerce
Jennifer Carnegie, President, Chamber of Commerce
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

Agenda matter | Action
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1. External Relations Processes Review

The Panel met Matthew Berry and Victoria Bell from the Law Officers’ Department for a discussion on constitutional matters relating to External Relations. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 31.

2. Covid-19 Response Review: Meeting with the Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:

- The Deputy Chief Minister (Senator Lyndon Farnham) had announced that Jersey would move to Level 2 of the Safe Exit Strategy from 12th June 2020. The CoC commented that it would be useful to know the timescale for moving to Level 1 of the Framework in order that businesses could prepare.

- It was noted that the Chief Minister had established a governance structure for planning and delivery of Jersey’s economic recovery. In that regard, a Political Oversight Group had been formed as well as an Economic Recovery Council. It was confirmed that the Chief Executive Officer of the CoC was a member of the Council, but it was the CoC’s view that more of their members should be able to join in discussions.
It was noted that there were currently 2 active cases of Covid-19 in Jersey. In that regard, it was agreed that a “travel bubble” could be established for the Channel Islands, given that Guernsey had 0 cases. Furthermore, if islanders were able to travel freely between each Channel Island, it would be a positive step towards economic recovery.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 4th June 2020

Present

Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore

Apologies

Deputy Jess Perchard

Absent

Charlotte Brambilla, Lead Policy Advisor Financial Services, Strategic Policy, Planning and Performance [item 1 only]
James Silverston, Director Financial Services, Office of the Chief Executive [item 1 only]
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

Agenda matter

1. **Briefing: Amendment to Limited Partnership (Jersey) Law 1994**

The Panel received a briefing on proposals to lodge “Triennial Regulations” to supplement the Limited Partnership (Jersey) Law 1994. The briefing was provided by Charlotte Brambilla, Lead Policy Advisor Financial Services and James Silverston, Director Financial Services, via video conference. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.

2. **Family Friendly Employment Rights**

The Panel recalled that it had drafted a letter to the Minister for Social Security indicating its concerns over the timing of implementation of the family friendly employment rights. The Panel agreed to expand on the concerns drafted in the letter and requested the Officer to make the necessary changes.

Additionally, the Panel agreed it would send the letter within an email, once finalised, to all States Members, prior to the debate on the Appointed Day Act, in order to inform Members of the Panel’s concerns.

3. **Covid-19 Response: Travel Policy and Redevelopment of the Airport**

The Panel noted the Proposition, P.68/2020, lodged by Deputy J.M. Maçon on 2nd June in relation to the lifting of the current travel restrictions as a result of the easing of lockdown in Jersey. The Panel noted that the requirement for a policy for travel to and from Jersey would be necessary to permit safer travel and reduce the potential risk of spreading the virus once the ports were opened.

04.06.2020
The Panel also noted the Proposition, P.71/2020, lodged by Deputy Russell Labey on 3rd June in relation to delaying the redevelopment of Jersey Airport until a review of the viability of the redevelopment scheme considering the impact of Covid-19 was undertaken.

The Panel was advised by Senator Moore that the Corporate Services Scrutiny Panel was due to receive a briefing regarding the matters raised in P.68/2020 and P.71/2020. It was agreed that the Panel would also be invited to attend the briefing.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date:  5th June 2020

| Present       | Deputy Kirsten Morel, Chairman  
|              | Deputy David Johnson, Vice-Chairman  
|              | Senator Kristina Moore |
| Apologies     | Deputy Jess Perchard |
| Absent        |  |
| In attendance | Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture  
|              | Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture  
|              | Deputy Montfort Tadier, Assistant Minister for Economic Development, Tourism, Sport and Culture  
|              | Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture  
|              | Richard Corrigan, Group Director - Financial Services and Digital Economy  
|              | Dan Houseago, Director of the Economy, Office of the Chief Executive  
|              | Colin Gibaut, Director Strategic Development Financial Services and Digital Economy  
|              | Kellie Boydens, Principal Committee and Panel Officer  
|              | Monique Magalhaes, Research and Project Officer  |

Agenda matter | Action

1. Quarterly Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture

The Panel held a Public Hearing with the Minister, Assistant Minister and Government Officials via video conference. The proceedings were streamed live via Microsoft Teams and a recording was made so that a transcript could be produced.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 10th June 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman  
|         | Senator Kristina Moore |
| Apologies | Deputy Jess Perchard |
| Absent |  |
| In attendance | George Pearmain, Director of Financial Crime Strategy, Financial Services and Digital Economy  
|         | Helen De La Cour, Lead Policy Adviser, Financial Services and Digital Economy  
|         | Kellie Boydens, Principal Committee and Panel Officer  
|         | Monique Magalhaes, Research and Project Officer  
|         | Ben Walker, Research and Project Officer |

Agenda matter

1. P.69/2020 - Draft Financial Services (Disclosure and Provision of Information) (Jersey) Law 202-

The Panel met the Director of Financial Crime Strategy and Lead Policy Advisor for a briefing on P.69/2020. It was noted that the Proposition was due to be debated on 14th July 2020.

The Director of Financial Crime Strategy explained that the purpose of the legislation was to implement the requirements set out by the Financial Action Task Force (FATF). The FATF was the inter-Governmental body that set standards to combat money laundering, terrorist financing and other related threats to the integrity of the international financial system. It was explained that the legislation sought to meet FATF Recommendation 24 in particular, which placed requirements relating to beneficial ownership on a statutory footing.

Furthermore, the draft Law set out requirements in relation to information provision, introducing a number of new concepts in order to satisfy Recommendation 24. In that regard, the draft Law required certain information to be provided to the Jersey Financial Services Commission both upon its application to be established as a legal entity in Jersey and when there was a change to that information.

The information submitted was also required to be confirmed as accurate on an annual basis. Currently, information about the beneficial owners and controllers of companies and partnerships was collected when entities were seeking consent from the Commission on incorporation under the Control of Borrowing (Jersey) Order 1958. The draft Law placed these requirements on a statutory footing, providing clarity and extending the requirements to Jersey incorporated foundations.
A new requirement under the draft Law was to provide information about the identity of nominee shareholders in order to satisfy the FATF requirement that the jurisdiction had taken effective measures to ensure that entities were not misused for money laundering or terrorist financing purposes.

The Lead Policy advisor explained that FATF Recommendation 24 required that competent authorities had access to adequate, accurate and timely information about entities and for there to be penalties for failure to comply. The Panel noted that the Minister for External Relations had been included within the definition of local competent authority. The Panel asked about the safeguards in place to ensure that information may only be obtained for lawful purposes under the draft Law. The Lead Policy Advisor agreed to provide the Panel with further clarity on the definition and safeguards in place.

The Panel thanked the Government Officials for their time and they exited the video conference.

The Panel agreed that it would present a Comments paper before the States debate on 14th July.
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Meeting held by video conference**

**Date:** 12th June 2020

| Present | Deputy Kirsten Morel, Chairman  
| Deputy David Johnson, Vice-Chairman  
| Senator Kristina Moore |
| Apologies | Deputy Jess Perchard |
| Absent |  |
| In attendance | Kellie Boydens, Principal Committee and Panel Officer  
| Ben Walker, Research and Project Officer |

### Agenda matter

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<td><strong>1. Records of Meetings</strong></td>
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<td>The Panel noted and approved the records of the meetings held on 11th, 14th, 15th, 21st, 22nd, 27th and 28th May 2020.</td>
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<td><strong>2. Covid-19 Response and Recovery Review</strong></td>
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| The Panel received an update on the Scoping Document and Terms of Reference for its joint review with the Corporate Services Scrutiny Panel on Covid-19 Response and Recovery. It was noted that the Scrutiny Liaison Committee (SLC) had approved both documents.  
In considering the documents, however, the SLC had identified a potential crossover with the work of the Comptroller and Auditor General (C&AG). In that regard, the C&AG had provided both Panels with a Project Specification detailing her review plans, and, in turn, the Panel’s Scoping Document had been shared with the C&AG to determine any crossover. It was noted that the work of the C&AG would be focused on delivery and implementation of the response rather than policy matters, therefore, it was agreed that any crossover could be managed effectively.  
The Panel noted that guidance, aimed at businesses and sport organisations, had been published in relation to Level 2 of the Safe Exit Framework. The Panel agreed that it would be beneficial to gather views from the business and sport community in relation to the guidance and requested that a press release was issued on the matter. | KB |
| **3. External Relations Processes Review** | KB |
| The Panel agreed that the briefing held with Law Officers on 1st June had been beneficial. In terms of the review, the Panel agreed that a Public Hearing should be held with the Minister for External Relations in due course. |  |
| **4. CICRA Review** |  |
| The Panel had previously received a draft Scoping Document and Terms of Reference for the Review. It was noted that a couple of minor amendments had been made by the Chair, and therefore the Panel agreed to review the changes before giving its final approval. |  |

The Panel was disappointed that P.129/2019 had been scheduled for debate on 16th June without any communication from the Minister for External Relations. The Panel recalled that it had received a briefing on the Proposition at the end of 2019 and had raised a number of concerns about the legislation. At that time, the Department had agreed to provide further clarity on the issues raised, however, the Proposition had been withdrawn by the Minister in the lead up to the original debate date. The Panel noted that it had not received the information required and therefore agreed that it would call-in the legislation during the debate.

6. **Medicinal Cannabis**

The Panel received a submission from a member of the public regarding the proliferation of medicinal cannabis businesses in Jersey. The Panel requested that research was undertaken in order to find out whether guidance concerning the licensing process for a business looking to acquire a license to cultivate medicinal cannabis in Jersey was publicly available. The Panel agreed that, if the information was not publicly available, it would write to the Minister for Economic Development, Tourism, Sport and Culture asking for further information and clarity.

7. **Question Plan: Quarterly Hearing with the Minister for International Development**

The Panel discussed a number of question areas in preparation for the Quarterly Hearing with the Minister for International Development on 26th June 2020. The Officer advised that a question plan would be circulated in due course.

8. **Future Meetings**

The Panel noted that its next scheduled meeting would take place on 10th July 2020 at 10:45am via Teams

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12.06.2020
## Economic and International Affairs Scrutiny Panel

### Record of Meeting

**Meeting held by video conference**

**Date:** 15th June 2020

| Present | Deputy Kirsten Morel, Chairman  
|         | Deputy David Johnson, Vice-Chairman |
| Apologies | Senator Kristina Moore  
|         | Deputy Jess Perchard |
| Absent | Murray Norton, Chief Executive Officer, Chamber of Commerce  
|         | Jennifer Carnegie, President, Chamber of Commerce  
|         | Monique Magalhaes, Research and Project Officer |

### Agenda matter

#### 1. Covid-19 Response Review: Meeting with the Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:

- The CoC advised that businesses were concerned about the proposed timing of the implementation of the Family Friendly Employment rights. It was explained that businesses were struggling under the current circumstances and that continuing to bring this change, at this time, would be an additional and unnecessary challenge for them.

- In relation to the new issued level two guidelines of the Safe Exit Framework, the CoC raised concern with regards to the mixed messages they portrayed. Additionally, businesses had raised concern with regards to the guidelines being overly restrictive and onerous. Whilst businesses were now allowed to open, as a result of the limiting guidelines, it was not economically viable for all businesses to do so.

- The CoC explained that businesses were struggling to understand the relationship between the associated health risk and the restrictive health guidance issued under level two of the Safe Exit Framework, at this stage, as active cases of Covid-19 were confined and minimal in Jersey.

- The CoC highlighted that businesses had experienced mixed interpretations of policing of the level two guidelines. This was related to the process around how restaurants could serve alcohol alongside meals.

- The CoC noted that level two guidelines allowed bars within hotels and campsites to maintain a drinks service without the requirement to serve food.
It was advised that this would deliver mixed messaging to businesses and would increase confusion within the industry.

- It was understood that the Planning Department (Under Growth, Housing and Environment) was not functioning at full capacity and was causing concern for the building industry. The CoC explained that due to the appeals process being halted, as well as the department’s planning staff being utilised for the contact tracing function, this would cause a knock-on effect for the building industry going forward. The building industry had raised concerns to the CoC that if the current planning backlog continued, the industry could grind to a halt within six months.

- The CoC explained that for businesses, addressing the issues that were keeping the borders from opening was essential. It was noted that, in general, obtaining some form of connectivity again with other jurisdictions was important for business.

- The CoC advised that the Treasury and Exchequer Department was considering ways to boost the economy. It was noted that reducing the employer contribution was being explored, as well as a Government issued voucher system. Households would be issued vouchers for use within businesses which would encourage business in hard-hit sectors.

- The CoC commented that the Government appeared to be open to ideas in relation to fiscal stimulus.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 18th June 2020

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<td>Senator Kristina Moore</td>
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<td>Deputy Jess Perchard</td>
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<td>Kellie Boydens, Principal Committee and Panel Officer</td>
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<td>Monique Magalhaes, Research and Project Officer</td>
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**Agenda matter**

1. **Covid-19 Response Review**

The Panel discussed the progress of its review. It was agreed that a significant amount of information had been gathered so far. The Panel agreed that it would continue monitoring the developments of Covid-19 in relation to the economy, particularly decisions around reopening borders.

2. **Follow-up: Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture**

Following the Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture on 5th June, it was noted that the Panel had ran out of time to ask the Minister about the Funders Group, a unique body established to represent the Island’s key funders of local charities or charitable projects. The Panel requested that further information was sought on the Funders Group.

KB
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 22nd June 2020

Present

Deputy Kirsten Morel, Chairman
Deputy David Johnson, Vice-Chairman
Senator Kristina Moore
Deputy Jess Perchard

Apologies

Absent

In attendance

Murray Norton, Chief Executive Officer, Chamber of Commerce
Jennifer Carnegie, President, Chamber of Commerce
Monique Magalhaes, Research and Project Officer

Agenda matter

| 1. Covid-19 Response Review: Meeting with the Chamber of Commerce |
| Action |

- In relation to the banning of single use plastic and paper bags, the CoC advised that retail businesses would adapt to the changes brought by the ban. However, any aspect which increased complexity and cost for businesses, at this time, was concerning for businesses.

- The CoC explained that businesses had felt a sense of urgency with regards to getting the economy up and running again, ideally back to a level close to as normal as was possible.

- In relation to employers commencing the opening of offices and employees getting back to work, businesses appeared unsure of their legal liabilities. It was the view of businesses that inconsistent messaging from the Government to businesses and the public, in that regard, was complicating the situation.

- It was highlighted from a Think Tank meeting that signs of liquidation of businesses were apparent if the functioning of businesses continued to be inhibited.

- It was understood that Jersey’s finance industry had coped relatively well so far, however, it was anticipated that the industry would experience challenges, albeit delayed, over the next two quarters.
• It was explained that wholesale businesses which relied upon low margin and high-volume sales, under normal conditions, were facing high debts as a result of the reduction in sales under the current Covid-19 position.

• The CoC explained that some hospitality businesses were facing supply chain issues which was concerning for those businesses.

• The CoC advised that a group including representatives from the finance, retail, hospitality and construction sectors had been formed to consider the insolvency regulations.

• The CoC explained that the Economic Council Committee was formed from a diverse group of individuals. However, it was not understood how the membership of the committee group was decided upon. It was explained that, in addition to the Economic Council Committee, task-focused work groups would be set up and appropriate individuals would be drafted in for those groups accordingly.

• The CoC advised that the GST de minimis was under consideration. It was felt that bringing this change forward would support local businesses and economic recovery at this time.

• Regarding the reopening of borders, the CoC explained that it was especially important for the tourism and hospitality sectors that travel commenced as soon as possible. A Covid-19 testing regime was emphasised as crucial with regards to enabling safe travel to Jersey and to avoiding importing of virus cases into the island.

• The CoC explained that, besides the tourism and hospitality sectors being directly impacted by the travel restrictions, there had also been a wider associated impact on further areas including retail, wholesale, GST intake and ancillary supplier services.

• The CoC raised concern that if the connectivity of routes was not established until after other jurisdictions had re-established their routes, Jersey could lose out on vital travel routes in and out of the island. Additionally, not resuming connectivity soon could have implications on the costs of Jersey flights.

• The CoC clarified that the opportunity for staycations within the hospitality sector was not a viable long-term option as accommodating one-night stays was not cost effective. However, it was a lifeline under the current circumstances for some establishments.

• In anticipation of moving to level one of the safe-exit guidelines, the CoC advised that businesses would appreciate at least a weeks’ notice prior to the changes happening. However, it was emphasised that businesses, up until now, had done an excellent job at adapting to the new guidelines on short notice.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 26th June 2020

| Present          | Deputy Kirsten Morel, Chair  
|                  | Deputy David Johnson, Vice-Chair  
|                  | Senator Kristina Moore  
|                  | Deputy Jess Perchard  
| Apologies        |  
| Absent           |  
| In attendance    | Kellie Boydens, Principal Committee and Panel Officer  
|                  | Monique Magalhaes, Research and Project Officer  

Agenda matter

1. Records of Meetings

The Panel noted and approved the records of the meetings held on 1st, 4th, 10th, 12th and 15th June 2020.

2. Quarterly Public Hearing with the Minister for International Development

The Panel requested that the Quarterly Hearing with the Minister for International Development, due to take place later in the day, was rescheduled due to an urgent briefing on the Safer Travel Period.

It was noted that the urgent briefing was being held to discuss a Proposition on the Safer Travel Period in relation to opening of the borders. The Panel was advised that the Proposition was due to be lodged imminently and debated on 30th June 2020.

3. Covid-19 Response and Recovery

The Panel received a project plan in relation to its joint review of Covid-19 Response and Recovery. The Panel agreed that the plan should include an interim reports section. In that regard, the Panel agreed that two interim reports could be presented as part of its review. One on the economic stabilisation aspect of the response which would cover the actions undertaken during the Covid-19 crisis, for example, the Co-funded Payroll Scheme. Following that, another interim report could be published on the economic recovery aspect of the response which would cover the actions undertaken after the Covid-19 crisis.

The Panel agreed it would hold Public Hearings in order to obtain further evidence which would benefit the interim reports. It was expected that the interim reports would be completed over the summer months - during July and August 2020.

The Panel noted that communications had been issued via Social Media asking for views on the guidelines for businesses on Level 2 of the Safe Exit Framework. It was noted that several responses had been received from businesses with regards to guidelines.

26.06.2020
4. **CICRA Review**

The Panel received a project plan for its review and agreed the key milestones and associated timings.

The Panel received a list of potential stakeholders for its review. The Panel requested that the Comptroller and Auditor General (C&AG) was included on the list. It agreed that the list would be monitored throughout the review and other stakeholders may be added if necessary.

The Panel agreed that it would consider the Competition (Jersey) Law 2005 as part of the review as it may suggest amendments to the legislation following the outcome of its review. The Panel also agreed that it would consider the Consumer Protection (Unfair Practices) (Jersey) Law 2018.

The Panel agreed that it would issue a Call for Evidence in due course and organise Public Hearings. In that regard, the Panel agreed that an independent view would be sought on competition matters. Once a suitable independent expert was found, they would be invited to attend a Public Hearing.

The Panel also discussed whether it would be beneficial to obtain evidence from the C&AG in due course. The C&AG could be asked about what constituted good governance.

The Panel agreed that it would organise a meeting dedicated to reviewing the evidence gathered to date.

5. **External Relations Processes**

The Panel noted the question areas for the Public Hearing with the Minister for External Relations scheduled for 3rd July. The Panel agreed that it would consider further areas and questions and revert with any additions.

6. **P.83/2020 “Draft Limited Partnership (Continuance) (Jersey) Regulations 202.”**

The Panel recalled that it was briefed on P.83/2020 on 4th June. The Panel agreed that it was content with the Proposition and would not require any further action in that regard.

7. **Work Programme**

The Panel received a draft Work Programme for 2020.

The Panel agreed that the Review of External Relations processes would be undertaken first and that the CICRA review would follow. The Panel agreed that the order of completing the reviews of External Relations and CICRA first would enable it to focus on the Government Plan Review and Covid-19 response and recovery work.

8. **Panel constitution**

The Panel agreed that Deputy Kevin Pamplin would join the Panel with a view to focus on arts, culture and heritage matters. The Panel noted that the matter would be discussed by the States Assembly at its next sitting on 30th June.
9. **Funders Group**

The Panel recalled its previous discussions and concerns in relation to the Funders Group in respect of charities. It was noted that the Minister for Economic Development, Tourism, Sport and Culture was due to provide the Panel with information regarding the Group’s establishment. The Panel agreed that it would discuss the matter at its next meeting on 10th July.

10. **Future Meetings**

The Panel noted that its next scheduled meeting would take place on 10th July 2020 at 10:45am via Teams.

26.06.2020
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 29th June 2020

Present
Deputy Kirsten Morel, Chair
Deputy David Johnson, Vice-Chair
Senator Kristina Moore
Deputy Jess Perchard

Apologies
Absent

In attendance
Murray Norton, Chief Executive Officer, Chamber of Commerce
Jennifer Carnegie, President, Chamber of Commerce
Monique Magalhaes, Research and Project Officer

Agenda matter

1. Covid-19 Response Review: Meeting with the Chamber of Commerce

The Panel met the Chief Executive Officer and President of the Chamber of Commerce (CoC) via video conference to discuss the response to Covid-19 and concerns raised by the business community. The following was noted:

- In relation to the proposed opening of the borders, the CoC advised that if the borders were not opened soon, Jersey could lose its tourist industry. The CoC agreed that a robust testing regime was necessary, however, for businesses and the economy, there was a sense of urgency to reopen the borders so that normality could be regained.

- The CoC explained that, with each passing week that the borders remained closed, Jersey (and businesses) would lose millions in spend. The CoC emphasised that balancing the health risk, if the borders were reopened, and the risk to the economy, if the borders remained closed, was critical.

- The CoC confirmed that, as it represented a number of businesses, it felt that the borders should open as soon as was possible. However, it was essential that assurances were given to ensure that it was done safely. The CoC explained that the hospitality industry had a small window of opportunity to regain some funds over the summer months. Furthermore, if the hospitality industry was able to secure tourism for at least the months of July and August it would help many businesses survive the crisis. However, survival was dependant on the borders reopening as soon as possible.

- The CoC explained that, as well as the hospitality industry, other sectors, including retail and self-employed tradespeople, had been affected by the crisis. The CoC commented that retail businesses depended on the footfall of...
tourists and that tradespeople working within the hospitality industry could only do so if it was functioning.

- In relation to the new social distancing rule of one meter, the CoC explained that it was difficult to confirm any benefit that this change had made, particularly for retail businesses. Additionally, the CoC commented that public confidence was low and that, combined with the reality of people being encouraged to continue to work from home, had resulted in the reduced footfall which was negatively impacting the sector.

- The CoC suggested that there had been some confusion among employees about the Government’s guidance. On the one hand, the guidance was that employees should continue to work from home wherever possible, and on the other, restrictions were being eased. The CoC explained that this had caused mixed reactions among employees when having to decide whether to return to offices or to continue to work from home.

- With regards to how employers had responded to the easing of restrictions and the continued ‘work from home’ messaging aspect of the guidance, the CoC explained that some employers had chosen to not allow their staff back to the office due to the uncertainty around liabilities. Others had chosen to resume office work, if it was safe to do so, and had encouraged their staff back to the office. Some had set up rota systems to manage distancing within the workplace. Additionally, with many employees remaining content to continue to work from home, some employers had been considering downsizing their office space to accommodate smaller numbers of employees. In doing so, employers would be able to save on costs. The CoC believed that, as a result of the crisis, there would be a noticeable shift in the way in which workplaces operated and employees worked in the future.

- In relation to carparking charges being resumed from 1st July, the CoC explained that some businesses had raised concerns that this would negatively impact the public footfall in town. Additionally, some businesses believed that the charges would discourage people from returning to the office. The CoC explained that businesses were unclear why Government was continuing to provide financial support for businesses until August yet would reinstate the parking charges on 1st July.

- In terms of the Economic Council, the CoC explained that a broad range of good ideas for economic recovery had been gathered. However, it was noted that the ideas put forward had yet to be assimilated. It was the CoC’s understanding that Working Groups, established from the Economic Council, would be tasked with carrying on the work beyond September.

- The President of the CoC advised that the CoC had been keeping a record of Covid-19 related key announcements and press releases since January and this would be shared with the Panel.

The Panel thanked the Chief Executive Officer and President of the CoC for their time and they exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 2nd July 2020

| Present          | Deputy Kirsten Morel, Chair  
|                 | Deputy David Johnson, Vice-Chair  
|                 | Senator Kristina Moore  
|                 | Deputy Jess Perchard  
|                 | Deputy Kevin Pamplin  
| Apologies       |  
| Absent          |  
| In attendance   | Kellie Boydens, Principal Committee and Panel Officer  
|                 | Monique Magalhaes, Research and Project Officer  

<table>
<thead>
<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Processes within External Relations Review</strong></td>
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<tr>
<td>The Panel met to discuss a draft question plan in preparation for the Public Hearing with the Minister for External Relations on 3rd July. The Panel agreed additional areas and noted that a final plan would be circulated in due course.</td>
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<td>Agenda matter</td>
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<tr>
<td><strong>1. Processes within External Relations Review: Public Hearing with the Minister for External Relations</strong></td>
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<tr>
<td>The Panel held a Public Hearing with the Minister for External Relations and Government Officials to discuss various processes within External Relations. The proceedings were streamed live via Microsoft Teams and a recording was made so that a transcript could be produced.</td>
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Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 9th July 2020

| Present               | Deputy Kirsten Morel, Chair  
|                      | Deputy David Johnson, Vice-Chair  
|                      | Senator Kristina Moore |
| Apologies            | Deputy Jess Perchard  
|                      | Deputy Kevin Pamplin |
| Absent               |                         |
| In attendance        | Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture  
|                      | Tracy Mourant, Private Secretary to the Minister for Economic Development, Tourism, Sport and Culture |
|                      | Kellie Boydens, Principal Committee and Panel Officer |

### Agenda matter

<table>
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<tr>
<td>1. <strong>Meeting with the Minister for Economic Development, Tourism, Sport and Culture</strong></td>
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</table>

The Panel met the Minister via video conference primarily to discuss the Government’s response to Covid-19. The following areas were discussed:

**Economic Council**

- It was noted that the Economic Council had met three times since it was established. The Council had been formed to contribute to the ongoing work on economic recovery post Covid-19.
- The Minister confirmed that the purpose of the meetings to date was to discuss economic recovery and, going forward, he would like the next meeting to identify six ideas to be taken forward.
- The Minister also confirmed that he envisaged that the Economic Council would only be required for a relatively short period so that it could boost the initial effort needed for economic recovery. In that regard, it was noted that the Political Oversight Group would consider reports from the Economic Council to contribute towards the development of the recovery plan.

**Fiscal Stimulus**

- It was noted that a States Members briefing had been held on the Fiscal Stimulus package which was due to be formally announced on 10th July.
- The Minister explained that his focus had been on ensuring that island businesses were kept viable and that people were able to stay in their jobs. To that end, the Minister explained that the co-funded payroll scheme had helped businesses in that regard.
The purpose of the fiscal stimulus was to get money into the economy quickly. The Minister explained that this was important for local businesses, for protecting existing jobs and creating new ones. The Minister advised that £100 would be given to every islander to spend locally, which would support local businesses. This would be in the form of vouchers and smart cards which would be valid for two months. It was noted that another £100 would be given to low-income individuals.

A discussion followed on Economic Development becoming its own Department. The Minister confirmed that this was being discussed by the Council of Ministers.

The Panel thanked the Minister for his time and he exited the video conference.
Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 10th July 2020

Present
Deputy Kirsten Morel, Chair
Deputy David Johnson, Vice-Chair
Senator Kristina Moore

Apologies
Deputy Jess Perchard
Deputy Kevin Pamplin

Absent

In attendance
Kellie Boydens, Principal Committee and Panel Officer
Monique Magalhaes, Research and Project Officer

Agenda matter | Action
---|---
1. **Records of Meetings**
The Panel noted and approved the records of its meetings held on 18th, 22nd, 26th, 29th June and 2nd and 3rd July 2020.

2. **Covid-19 Response and Recovery**
The Panel noted that it had accumulated a significant amount of information on the Covid-19 crisis. The Panel agreed that it would be beneficial to present an interim report in the first instance, so that it could publish its findings on the Government’s response to date (March – July 2020) before it presented its final report on the recovery work. It was agreed that the report would be drafted during August 2020.

In terms of its joint review with the Corporate Services Scrutiny Panel, it was noted that both Panel’s were due to appoint one economic advisor. Due to the Panel’s intention to present an interim report, which meant it did not require any immediate expert assistance, it was agreed that the Corporate Services Panel would lead in the preparations for the appointment.

In that regard, the Panel was advised that the Corporate Services Panel had drafted an engagement brief to assist in the search for an advisor. In order to be kept informed of the process and to offer views when necessary, the Panel requested that it was invited to attend any meetings held by the Corporate Services Panel when it was due to discuss the appointment of an advisor.

3. **CICRA Review**
The Panel was advised that letters to stakeholders had been sent and that it was anticipated responses would be received by the end of July.

4. **External Relations Processes**
The Panel noted that its report was currently being drafted and would be circulated for approval in due course.

5. **Government Plan**
The Panel received an Excel spreadsheet which listed the various projects which it had RAG (Red-Amber-Green) rated during its previous review of the plan. The Panel agreed that each member would review the projects and their RAG status with a view to discussing each project in detail at one of its future meetings in August.

6. **Quarterly Hearing with the Minister for External Relations**

   The Panel agreed a number of question areas in preparation for the Quarterly Hearing with the Minister on 17th July.

7. **Future Meetings**

   The Panel noted that its next scheduled meeting would take place on 24th July 2020 at 10:45am via Teams.
# Economic and International Affairs Scrutiny Panel

## Record of Meeting

**Meeting held by video conference**

**Date:** 23rd July 2020

| Present                  | Deputy Kirsten Morel, Chair  
|                         | Deputy David Johnson, Vice-Chair  
|                         | Deputy Kevin Pamplin |
| Apologies               | Senator Kristina Moore  
|                         | Deputy Jess Perchard |
| Absent                  |                         |
| In attendance           | Senator Ian Gorst, Minister for External Relations  
|                         | Kate Nutt, Group Director, External Relations  
|                         | James Silverston, Director, Financial Services and Digital Economy  
|                         | Cora O’Brien, Deputy Comptroller of Revenue  
|                         | Kellie Boydens, Principal Committee and Panel Officer |

### Agenda matter

<table>
<thead>
<tr>
<th>1. Quarterly Hearing with the Minister for External Relations</th>
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<tbody>
<tr>
<td>The Panel held a Public Hearing with the Minister for External Relations and Government Officials via video conference. The proceedings were streamed live via Microsoft Teams and a recording was made so that a transcript could be produced.</td>
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</table>
Economic and International Affairs Scrutiny Panel
Record of Meeting
Meeting held by video conference

Date: 24th July 2020

Present
Deputy Kirsten Morel, Chair
Deputy David Johnson, Vice-Chair
Deputy Kevin Pamplin

Apologies
Senator Kristina Moore
Deputy Jess Perchard

Absent

In attendance
Kellie Boydens, Principal Committee and Panel Officer

Item 3
Deputy Steve Ahier, Vice-Chair, Corporate Services Scrutiny Panel
Connétable Richard Vibert, Member, Corporate Services Scrutiny Panel
Katie Griffiths, Committee and Panel Officer
Peter Lamy, Research and Project Officer

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<thead>
<tr>
<th>Agenda matter</th>
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<tbody>
<tr>
<td><strong>1. Records of Meetings</strong></td>
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<tr>
<td>The Panel approved the records of its meetings held on 9th and 10th July 2020.</td>
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<tr>
<td><strong>2. Covid 19 Response and Recovery Review: Advisor, expressions of interest</strong></td>
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<td>The Panel discussed three expressions of interest as a result of the search for an expert advisor – Dr Michael Oliver of MJO Consultancy, Stuart Fair and Jefferey Matsu of the Charted Institute of Public Finance and Accountancy (CIPFA) and Siôn Jones, Partner of London Economics. The Panel agreed that CIPFA had provided the most detail of how assistance could be provided during the review. In relation to Siôn Jones, the Panel agreed that his expertise appeared to centre mainly around health economics. In that regard, the Panel agreed that it would shortlist CIPFA and MJO Consulting. It was noted that the Panel was due to meet with the Vice-Chair of the Corporate Services Scrutiny Panel to discuss the matter further.</td>
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<td>The Panel noted that an interim report on the Government’s response to Covid-19 to date would be drafted during the month of August.</td>
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<td>The Panel met with Deputy Steve Ahier (Vice-Chair of the Corporate Services Scrutiny Panel) and Connétable Richard Vibert (Member of the Corporate Services Scrutiny Panel) to discuss the selection of an advisor for the Joint COVID-19 Response and Recovery Review. It was noted that, of seven calls to tender, three</td>
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applicants had been received. Both Panels had narrowed these to two: Dr Michael Oliver and the Chartered Institute of Public Finance and Accountancy - Mr Stuart Fair and Mr Jeffery Matsu. It was agreed that the third applicant, Mr Siôn Jones, experience lay mainly within health care modelling.

The Panel agreed that the two remaining applications focused mainly on public finance spending, and that it would be useful to meet with them to establish how they would conduct work to meet the requirements of both Panels. It was agreed that a short question plan would be formed, enabling fair appraisal of their approaches. It was agreed that the meetings would be scheduled after 3pm on Tuesday 28th July 2020.

4. External Relations Processes Review

The Panel noted that the report had been drafted and was being reviewed by the Chair. It was agreed that once the Chair had reviewed the draft report, it would be circulated to the Panel for approval.

5. Decision making process to demerge CICRA

The Panel noted that progress was being made with the review. Letters had been sent to targeted stakeholders and some submissions had already been received from Jersey Post, the Citizen’s Advice Bureau and the President of the Committee for Economic Development in Guernsey. It was noted that the deadline for responses was 31st July.

The Panel requested that an additional letter was drafted to the Jersey Competition Regulatory Authority to ask a number of questions about the demerge and associated costs.

6. Government Plan (Recovery) Review

The Panel was advised that Public Hearings were being organised with the Minister for External Relations, Minister for Economic Development, Tourism, Sport and Culture and Minister for International Development to take place in October, once the Government Plan had been lodged. In the meantime, the Panel agreed that it would write to each Minister requesting an update on the projects identified in the previous Plan.

7. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture

The Panel noted that it was due to receive the Minister for a Quarterly Hearing on 7th August. In that regard, the Panel discussed and agreed a number of question areas. It was agreed that a question plan would be circulated for approval on Teams.

8. Distribution of Charity Funds

The Panel noted that two bodies had recently been established – the Jersey Funders Group and the Jersey Community Foundation. Although the Panel had received some information from the Growth, Housing and Environment Department on the two Groups, it was unclear what their specific remits were. The Panel requested that a briefing was organised on the distribution of charity funds.

9. Future Meetings
The Panel noted that its next scheduled meeting would take place at 10:45am on 7th August in either the Le Capelain room, States Building or via Teams.
## Economic and International Affairs Scrutiny Panel

### Record of Meeting

**Meeting held by video conference**

Date: 28th July 2020

| Present                  | Deputy Kirsten Morel, Chair  
|                         | Deputy David Johnson, Vice-Chair  
|                         | Deputy Kevin Pamplin  
| Apologies                | Senator Kristina Moore  
|                         | Deputy Jess Perchard  
| Absent                   |  
| In attendance            | Deputy Steve Ahier, Vice-Chair, Corporate Services Scrutiny Panel  
|                         | Connétable Richard Vibert, Member, Corporate Services Scrutiny Panel  
|                         | Connétable Karen Shenton-Stone, Member, Corporate Services Scrutiny Panel  
|                         | Stuart Fair, Charted Institute of Public Finance and Accountancy (CIPFA)  
|                         | Jefferey Matsu, Charted Institute of Public Finance and Accountancy (CIPFA)  
|                         | Dr Michael Oliver, MJO Consulting  
|                         | Kellie Boydens, Principal Committee and Panel Officer  
|                         | Katie Griffiths, Committee and Panel Officer  
|                         | Peter Lamy, Research and Project Officer  

### Agenda matter

<table>
<thead>
<tr>
<th>1. Covid 19 Response and Recovery Review: Meetings with potential advisors</th>
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<tr>
<td>The Panel, along with the Corporate Services Scrutiny Panel, met with Stuart Fair and Jeffery Matsu from the Charted Institute of Public Finance and Accountancy who had expressed an interest in providing expert assistance to both Panels on its joint review. The Panel asked a number of questions regarding the extent of the expertise which could be provided and how CIPFA could manage the needs of both Panels.</td>
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<tr>
<td>The Panel thanked Stuart Fair and Jeffery Matsu for their time and they exited the video conference.</td>
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<tr>
<td>The Panel, along with the Corporate Services Scrutiny Panel, met with Dr Michael Oliver of MJO Consulting who had expressed an interest in providing expert assistance to both Panels on its joint review. The Panel asked a number of questions regarding the extent of the expertise which could be provided and how the needs of both Panels would be managed.</td>
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<tr>
<td>The Panel thanked Dr Michael Oliver for his time and he exited the video conference.</td>
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<tr>
<td>A discussion into which potential advisor to appoint followed. Both Panels were in agreement to appoint CIPFA, mainly due to the fact that access to the expertise could</td>
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be shared between Stuart Fair and Jeffery Matsu. In addition, CIPFA had confirmed that the Panels were able to access other members of the CIPFA team, if required.

The Panels requested that the necessary arrangements were put in place to formally appoint CIPFA for the review.