

# STATES OF JERSEY



## **DRAFT FINANCIAL SERVICES OMBUDSMAN (CASE-FEE, LEVY AND BUDGET – AMENDMENTS) (JERSEY) REGULATIONS 201-**

---

**Lodged au Greffe on 22nd October 2018  
by the Minister for Economic Development, Tourism, Sport and Culture**

---

**STATES GREFFE**





Jersey

## **DRAFT FINANCIAL SERVICES OMBUDSMAN (CASE-FEE, LEVY AND BUDGET – AMENDMENTS) (JERSEY) REGULATIONS 201-**

### **REPORT**

---

The [Financial Services Ombudsman \(Case-Fee and Levy\) \(Jersey\) Regulations 2015](#) provide for the Office of the Financial Services Ombudsman (“OFSO”) to prescribe schemes for case-fees and levies to be paid by certain financial services providers in respect of the expenses of the OFSO.

The OFSO operates jointly with the equivalent OFSO in the Bailiwick of Guernsey as the Channel Islands Financial Ombudsman (“CIFO”), under an arrangement entered into by the Minister for Economic Development, Tourism, Sport and Culture (“EDTSC”) with the States of Guernsey under Article 6(1) of the [Financial Services Ombudsman \(Jersey\) Law 2014](#) (the “2014 Law”).

Following consultation with OFSO, the Minister for EDTSC has agreed with his counterpart in the States of Guernsey to make equivalent amendments to postpone, from the end of 2018 to the end of 2019, the ending of the equal splitting of the costs of CIFO [the two OFSOs] between Jersey and Guernsey. This meets the requirements in Article 6(1) of the 2014 Law.

The proposed extension of the equal sharing of the overall costs is an interim step which will continue the current CIFO funding structure for one further year. CIFO has recently carried out an extensive review of its funding, and has decided to adopt a new funding structure, which has widespread support from stakeholders. The new structure revises the levies so that the amount of the levy would no longer differ between the Islands for individual financial services providers, so equivalent financial services providers would pay the same levy irrespective of where they are based.

The one-year extension of the status quo will allow sufficient preparations to be made for implementing the new funding structure, including developing the more complex legislative changes required on a co-ordinated basis across both Bailiwicks. These will be brought to the States during 2019 to implement the new structure from the start of 2020.

#### **Financial and manpower implications**

There are no financial or manpower implications for the States arising from the adoption of these Draft Regulations.

## **Explanatory Note**

---

These Regulations amend the Financial Services Ombudsman (Case-Fee and Levy) (Jersey) Regulations 2015 and Schedule 2 to the Financial Services Ombudsman (Jersey) Law 2014.

The amendments postpone, from the end of 2018 to the end of 2019, the ending of the equal splitting of the costs of the Office of the Financial Services Ombudsman between Jersey and Guernsey.



Jersey

## **DRAFT FINANCIAL SERVICES OMBUDSMAN (CASE-FEE, LEVY AND BUDGET – AMENDMENTS) (JERSEY) REGULATIONS 201-**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES** have made these Regulations under Articles 6 and 26 of, and paragraph 4 of Schedule 2 to, the Financial Services Ombudsman (Jersey) Law 2014<sup>1</sup> –

### **1 Amendment of Regulation 6 of Financial Services Ombudsman (Case-Fee and Levy) (Jersey) Regulations 2015**

In Regulation 6(7) (levy scheme: calculation of total amount required) of the Financial Services Ombudsman (Case-Fee and Levy) (Jersey) Regulations 2015<sup>2</sup> for “financial year after 2018” there is substituted “financial year after 2019”.

### **2 Amendment of Schedule 2 to Financial Services Ombudsman (Jersey) Law 2014**

In paragraph 2(7) (budget) of Schedule 2 to the Financial Services Ombudsman (Jersey) Law 2014<sup>3</sup> for “financial years 2014, 2015, 2016, 2017 and 2018,” there is substituted “financial years 2014, 2015, 2016, 2017, 2018 and 2019.”

### **3 Citation and commencement**

These Regulations may be cited as the Financial Services Ombudsman (Case-Fee, Levy and Budget – Amendments) (Jersey) Regulations 201- and come into force 7 days after they are made.

- 
- <sup>1</sup> *chapter 13.255*  
<sup>2</sup> *chapter 13.255.20*  
<sup>3</sup> *chapter 13.255*