

4. Questions to Ministers Without Notice - The Minister for Economic Development

The Deputy Bailiff:

We come now to questions to Ministers without notice and the first period is to the Minister for Economic Development.

Deputy T.M. Pitman:

Point of order, Sir. Could I just ask for clarification from the Minister of when the press were briefed on this headline? It just seems a strange way of doing inclusive government.

The Deputy Bailiff:

I do not know what that is referring to but I think we will carry on at the moment. Questions without notice to the Minister for Economic Development.

4.1 The Deputy of St. John:

If I could pass this across, please, to the Minister. In December 2007, I along with others were at St. Helier Yacht Club and put a number of questions to the Minister on maintenance of St. Helier marina. He gave me an undertaking that he would look into this. On a number of occasions during 2008, I wrote to the Minister and asked what progress had been made. As Members can see, I will pass a couple of these around ... in fact these photographs were taken, Minister, this week. Could the Minister please explain why the serious defects are still in the public domain, and are a danger to the public, and why they have not been put right?

Senator A.J.H. Maclean (The Minister for Economic Development):

I would ask the Deputy who has written to the department - has written to me and I have referred it to the department to deal with - I understand he has had numerous discussions with the department and meetings. My understanding is that most of the issues that were raised - I think in the first letter the Deputy wrote there was something like 28 particular issues raised on matters pertaining the harbours - have been addressed in full. As far as the photographs are concerned, I am more than happy to take them down to the department and seek clarification as to what they relate to in the context of the ongoing discussions that the Deputy has had over the past 2 years.

4.1.1 The Deputy of St. John:

A supplementary. If I could pass the Minister a copy of my original letter, he will see of those 20 plus faults reported a number of them, even on the front page which are underlined in a highlighter, have not been addressed. Will he give us an assurance that within the next 28 days they will be addressed?

Senator A.J.H. Maclean:

I am more than happy to give the Deputy an assurance that within the next 28 days they will be considered. As far as I am aware, these issues had been resolved and I have asked the Deputy personally as to whether there are any outstanding issues to which he did not give me an answer until this precise moment. Thank you.

4.2 Deputy M. Tadier:

Can the Minister confirm that further to the Attorney General's comments regarding foreign administrators acting in Jersey (1) that no application has yet been made by the administrator to the Jersey courts; (2) can he confirm under whose authority the administrators are therefore acting and (3) can he confirm whether he believes they are acting legally under Jersey laws?

Senator A.J.H. Maclean:

Yes. No application has been sought yet by the Royal Court. The administrators who were appointed by the English courts have to make an application to the Royal Court. That application, as far as I am aware, has not yet been made. Do I believe that they have been acting

legally? I understand, and I made the point this morning, that the administrators had sought legal advice, the work that they have undertaken to date has been within the bounds of their legal advice that they received, so I am told. Thank you.

4.3 The Connétable of St. Lawrence:

Does the Minister consider members of the public who use the harbours and airport as clients of his department? If so, does he accord their needs and concerns the same consideration he gives to airline and ferry operators?

Senator A.J.H. Maclean:

There is a very quick answer to that and it is, yes. They are equally important to the airline and ferry operators; the customers are key to any business.

4.3.1 The Connétable of St. Lawrence:

Following that response, and I am pleased it was in the affirmative, and bearing in mind his department's policy of staunchly supporting competition, will the Minister undertake to give more prominence at our airport to Jersey Post's advert for transporting travellers excess baggage to and from Jersey at prices much cheaper than those charged by the airlines?

Senator A.J.H. Maclean:

It is a point well made by the Constable. That particular service has been advertised. If she feels that it is not being advertised clearly enough then I am more than happy to see what we can do with regards to Jersey Post to ensure that the service is properly advertised. It is a valuable service and, as far as I am aware, well used.

The Connétable of St. Lawrence:

I thank the Minister for his response. It is not clearly advertised at the airport and I think it needs looking at.

4.4 Deputy R.G. Le Hérissier:

Given the massive reconstruction of the United Kingdom banks, given the fact that many are moving into partial or full state ownership, would the Minister comment on how he thinks these moves will impact upon the finance sector in Jersey and what steps is his department taking to deal with the anticipated re-jigging of that sector?

Senator A.J.H. Maclean:

At this stage it is very difficult to anticipate exactly what the outcomes are going to be. We have been facing, I am sure Member will agree, quite unprecedented times. The speed and severity of the global financial crisis has caught most people completely unawares. As far as the potential impact on the Islands, we have been in discussions with Jersey Finance. Jersey Finance are undertaking or have appointed a company called McKinsey who are going to look at the risks, which I think the Deputy is alluding to, to the finance industry based on not just the reconstruction of the major clearing banks and others in the U.K. but any other impacts that the global financial crisis may indeed have on the Island.

4.4.1 Deputy R.G. Le Hérissier:

Would the Minister say that because these banks are now essentially going to be controlled by the United Kingdom Government this poses particular problems and issues?

Senator A.J.H. Maclean:

Not necessarily. It is too early to say if there is going to be any ongoing or potential collateral damage. At this stage I think we can be thankful that the U.K. Government is standing firmly

behind its banks, it should give us a great deal of comfort to know that they are indeed providing that surety for all concerned.

4.5 Senator A. Breckon:

Along a similar line, is the Minister aware of a depositor protection scheme in existence in Guernsey which has been there since November 2008 that gives protection to all depositors - that is to say on and off Island - for £50,000. If he is, could he say when one will be in place in Jersey? These promises were made by others at the end of last year.

Senator A.J.H. Maclean:

Of course I am aware of the Guernsey depositor protection or compensation scheme. I think the Senator would be well aware that there are 2 reviews under way at the moment; one by the U.K. Government by Michael Foot. That particular review, the first stage of which is due by the end of March/beginning of April, is looking specifically at depositor compensation schemes. That information is going to be valuable to the Island. But not only that information, I would add that also a review is being undertaken by O.X.E.R.A. (Oxford Economic Research Associates) who are working with or gaining information from local banks, local institutions, and looking at depositor compensation schemes on a far wider basis around the world than nationally. That is a responsible position to take to ensure that we are properly in possession of facts before putting together a scheme which would be appropriate for Jersey. There was an undertaking given by the former Chief Minister, and I know the current Chief Minister also is offering the same undertaking in the Council of Ministers, that local depositors in the interim period are protected should any local bank default. I might also add that my predecessor at Economic Development, as part of the debate that occurred in December where this Assembly voted I think 33 to 0, gave an undertaking that a depositor compensation scheme would come forward by no later than July of this year, 2009. Thank you.

4.5.1 Senator A. Breckon:

Notwithstanding what the Minister has just said, can he give some comfort that he will act on what everybody appears to be saying? He said the former Minister said by July, but I would like to think in the timely manner than Guernsey did it we could do it quicker than that. So the question is will he act on this rather than just talk about it?

Senator A.J.H. Maclean:

I will certainly act on the undertakings that have already been given.

4.6 Senator S.C. Ferguson:

The cost of oil has fallen significantly from 150 dollars a barrel to around about 50. Could the Minister tell the House what steps he is taking to establish why we do not see a similar reduction at the pumps?

Senator A.J.H. Maclean:

The Senator makes a very well made point. I was wondering myself when I last filled up why, in fact, the petrol pump price is not lower than I had imagined it would be. It is a matter that concerns me greatly. It is a matter that we are considering. We have had a discussion in only the last few days as to whether or not we need to seek the advice of the J.C.R.A. (Jersey Competition Regulatory Authority) on the matter, but I shall be looking much more closely to seek information from the distributors and the suppliers as to why we are not seeing the reduction that I would expect at this time.

4.7 Deputy G.P. Southern:

In the light of the visit that the Minister paid to the workers at Woolworths recently, and in the light of the comments of the Council of Ministers, will the Minister outline his position on the

introduction of statutory redundancy pay for insolvency cases in the shortest possible term; the setting up of a central insolvency fund for the intermediate term; and whether he supports or not the payment of redundancy and statutory notice payments to the present Woolworth's staff to solve their urgent problem?

Senator A.J.H. Maclean:

That is 3 questions from the Deputy. Starting in reverse order, as far as the statutory notice period is concerned I, like I am sure most Members of this Assembly, are extremely disappointed that the statutory employment notice periods have not so far [**Approbation**] been met or we have not had the indication that they are going to be honoured. I would certainly expect the administrators and those responsible to do so in due course. I think the employees should expect that at the very least. As far as the other matters are concerned, with regard to redundancy legislation, insolvency schemes and so on, I think it was mentioned earlier by my colleague that there was, in fact, a scheme in draft form last year and he has undertaken - that is the Minister for Social Security - to bring this scheme forward in quick time. I think it is absolutely right that it should be brought forward. It is a significant disappointment and that is an understatement, certainly as far as the Woolworths' staff and other members of staff employed by companies in the Island, that such legislation has not been considered and brought forward before.

4.7.1 Deputy G.P. Southern:

Will he support the proposition P.2/2009 which will be before him, as amended, today or tomorrow?

Senator A.J.H. Maclean:

Would the Deputy just confirm that is the proposition of his that we are debating later today?

Deputy G.P. Southern:

Indeed it is.

Senator A.J.H. Maclean:

I think it is unlikely that I will support that particular proposition for the reasons stated. I will be speaking obviously on the matter later - I am well aware of the gallery, thank you, Deputy - there are significant precedents that we need to consider as far as this is concerned. What I would like to see is that the administrator, when and if appointed by the Royal Court, carries out diligently its duties and the assets that are in the Island and other mechanisms potentially are used to ensure that the staff of Woolworths get their correct recompense. [**Approbation**]

4.8 Deputy J.A. Hilton of St. Helier:

Senator Ferguson asked the question that I wanted to ask but as a follow on from that, can the Minister ... my understanding is that shipping companies dealing with freight shipments are still charging a surcharge so, in a similar theme, is the Minister prepared to look at this and, if he is, what does he feel that he can do about this?

Senator A.J.H. Maclean:

Currently we do not have any arrangements or regulation as far as commercial shipping is concerned. I am aware of the issue that the Deputy raises and it is a matter that I intend to raise at a meeting that is scheduled very shortly with the new owners of Condor, for example. It is a matter that does concern me and it is one that I cannot give any undertakings on at this stage because I do not know the full detail, but I will certainly be looking into it.

4.9 The Deputy of St. Martin:

I did not get much joy from the Minister when he was Assistant Minister, I hope I get a bit more now. As there is a free drop off area at the departure area at the Jersey Airport, when will there

be a free pick up area for passengers, particularly disabled passengers at the arrivals area at the airport? [Approbation]

Senator A.J.H. Maclean:

As part of the reconstruction at the airport, part of the capital programme, the roadway system which is not ... and indeed the drop off and pick up areas I do accept are not as we would like them to be and they do need improvement. Unfortunately there is a time and cost issue that needs to be resolved, it is part of the capital programme. I cannot give an exact date to the Deputy but I am more than happy to discuss the matter with him at a later date.

The Deputy Bailiff:

I am afraid that brings questions ...

Senator S. Syvret:

On a point of order I suggest whoever is chairing needs to be a little more vigilant. I have had my light on and I have been attempting to ask a question for about 12 minutes in this session and other people have had several opportunities.

The Deputy Bailiff:

Senator Syvret, the chair gives the opportunity in the order in which it sees people's lights.

Senator A.J.H. Maclean:

Can I just say to the Senator if he has a question I am more than happy to answer it outside in the coffee room.

Senator S. Syvret:

I prefer open government.