

2. Oral Questions

2.1 Deputy S. Power of St. Brelade of the Minister for Treasury and Resources regarding unregulated sales advertisements on the Jersey Insight website:

As the Minister represents the public shareholder interest, is he able to explain why a subsidiary of the States-owned utility, Jersey Telecom, is allowing its website, Jersey Insight, to run unregulated sales advertisements for puppies, kittens and other live domestic pets without first assessing whether the information is from *bona fide* local individuals?

Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

JT Insight brings buyers and sellers together across a broad range of categories from pets to cars to fridges to furniture. I am advised that there is no legitimate basis on which restricting sellers to local individuals could be put in place. There is nothing illegal about advertising pets for sale in Jersey, of course, and from a cursory glance from other advertising pages on other main media sites and other internet sites, I am sure that Members will readily establish that. Users, in using Jersey Insight, undertake to use the site only for lawful purposes and to comply with the Codes of Conduct and Codes of Practice that are applicable when they put the advertisement in. Any breaches are brought to JT's attention with the offending material being immediately removed and the seller's account being restricted. In the event of fraudulent intent, there is already a comprehensive range of common law offences and various statutes in place in Jersey to protect individuals so I do not think it is currently possible or I do not see the need to put further regulations in force on this particular matter.

2.1.1 Deputy S. Power:

I read the Minister's written responses and I have listened to him repeat the written responses to my written question. However, as a specific example, an advertisement appeared on 7th October 2012 purporting to sell puppies and the address was given as Alabama and the request was for Jersey residents to send \$330 or \$180 to a bank account in Alabama. I am wondering how the Minister would deal with this because, as it turned out, it appears that the ad was not for pups but was an intent to defraud a Jersey resident of their funds. How does the Minister answer that interpretation of that particular advertisement?

[9:45]

Senator P.F.C. Ozouf:

I am happy to investigate that particular one. I cannot help but think of *caveat emptor*. If Islanders want to respond by sending money to that sort of advertisement, then clearly they should be thinking twice about it. I am advised that there are currently 6,000 items listed as it stands today on JT Insight and 23 are for pets. There are 2 parrots, one partridge, 2 geckos, 10 kittens, 12 dogs, 2 horses, some land snails (they are counted as one), one hamster, 12 fish, one quail, one bearded dragon, 2 turtles, one corn snake, 5 ducks and 2 degus, whatever that is. I really think that in relation to the pet issue from a local telephone number, then that is clear, people can be followed up. We can immediately take action for that but it sounds as though the Deputy has answered for himself that what potential buyers should be is to be careful and do not send any money.

2.1.2 Deputy S. Power:

The Minister jests with me and I do not think it is an appropriate response. We have a situation with a wholly-owned subsidiary of a States of Jersey company that is allowing adverts to be posted which are intending to defraud a Jersey resident. It is all very well for the Minister to say "*caveat emptor*" or "Let the buyer beware" and make a joke about it in the States but my point is this website is not moderated. What is the Minister's response?

Senator P.F.C. Ozouf:

As I have explained, I do not wish to underplay the importance of a particular fraudulent activity. I have explained in my answer that where a fraudulent activity or where a potential fraudulent sale is put forward, then action is taken by J.T. (Jersey Telecom). I will certainly take up the case for that. I do not know whether the Deputy has taken this particular case study up with J.T. but I am happy to do so for him. Of course, it is moderated to the extent that controls are put in place where J.T. or Jersey Insight is alerted to the fact that there is a problem. Then they immediately take it down and put restrictions on the account but I am happy to take up this particular issue if he wants me to.

2.1.3 Senator S.C. Ferguson:

Yes, there have also been occasions where effectively puppy farmers have been advertising and the puppy farmers could well fall foul of the Animal Welfare Law. If there are so few animal adverts, will the Minister undertake to ensure that the J.T. will make sure that any livestock adverts are purely local and there is no question of any advertisements from the U.K. (United Kingdom) or abroad being put on Jersey Insight because the quality of the livestock that comes over from these advertisements is heart-breaking. We see a lot of these at the animal shelter and it needs stopping so will the Minister undertake to make sure that it stops?

Senator P.F.C. Ozouf:

I will do my best but, of course, it is not only JT Insight that advertises for pets and which Islanders are looking at. Obviously these issues are also live issues with eBay and Amazon and other market leaders. I am advised that of the total number of pets for sale, of the 55 particular adverts, 51 have local telephone numbers, one has a non-local telephone number and 3 have email contact. Maybe there are some guiding principles that can be put in place and some extra arrangements can be put in place for that. I am sure that J.T. has absolutely no interest. They are providing a free service here - which is also important, I think - where others are charging for a service which allows people to sell different domestic things for free. I do not see any reason for lots of complicated rules but I understand the point that the Senator is making and I will have some communication with J.T. about it.

2.1.4 Deputy M. Tadier of St. Brelade:

Does the Minister agree that the example given by Deputy Power is an example of spam email or spam content on a website and that it is purely incidental that it was about pets and it could have been an advert for any other product? Will the Minister perhaps look into the more important issue of how long this advert was, the duration of it appearing on the J.T. website, because if it was clearly for a short duration of time and then taken down, it shows that J.T. are doing their job well. If it was left to be on there for perhaps months and months with many Jersey residents sending millions of pounds over to the U.S. (United States) then clearly J.T. have not done their job.

Senator P.F.C. Ozouf:

I am happy to look into it but there are 6,000 items on JT Insight. This is a free service where no charges are being levied on Islanders wanting to put up an advert. Occasionally things will get through and this is clearly something that probably has got through. At the end of the day, people should not just be responding to an advert. You have to engage in the action of sending money for there to be a problem. But I understand the point the Deputy is making and I will investigate, but I am sure that Members will know that this is one issue which we will deal with and lots of others and we will give it appropriate priority but not be too heavy-handed about it.

2.1.5 Deputy S. Power:

I am happy to bring this to a close by asking the Minister a final question. Would he not agree with me that on the Jersey Insight website, there has to be a distinction between white consumer goods such as washing machines and dishwashers and live animals and that moderation needs to

be far stricter when live animals, pets, dogs, fish, whatever, are advertised. Would he not agree with me that it needs a degree of moderation which is not needed for a washing machine?

Senator P.F.C. Ozouf:

If it is possible to do something simple without having a whole control in place that means that Islanders cannot place adverts for simple things, then of course I will arrange for them to look into it. I thank the Deputy for raising the point.

The Deputy Bailiff:

The next question is that of Deputy Young who has been marked *défaut excusé* so if Members agree, I will mark that question down and if Deputy Young arrives before the end of Question Time and it is able to come in, he will ask it later on.