

**WRITTEN QUESTION TO THE H.M. ATTORNEY GENERAL
BY THE CONNÉTABLE OF ST. MARTIN
QUESTION SUBMITTED ON MONDAY 17th MAY 2021
ANSWER TO BE TABLED ON MONDAY 24th MAY 2021**

Question

Will H.M. Attorney General explain why Jersey Sport does not fall within the remit of the Freedom of Information (Jersey) Law 2011?

Answer

Article 1 of the Freedom of Information (Jersey) Law 2011 (the “Law”) defines both a ‘public authority’ and a ‘scheduled public authority’ for the purposes of that Law. The definition of a ‘public authority’ has been widely drawn. The obligations and duties set out in the Law only apply to ‘scheduled public authorities’ – those bodies listed in Schedule 1 to the Law.

In 2017 the States’ approved the establishment of Jersey Sport Limited as an independent grant-funded body by means of a purpose trust named the Jersey Sport Development Trust, holding shares in Jersey Sport Limited, a company limited by shares. As such, it is not a ‘scheduled public authority’ for the purposes of the Law. In respect of the generic description of entities listed in Schedule 1, Jersey Sport is not a ‘*department established on behalf of the States*’ and nor can it be described as a ‘*body established by resolution of the States*’, because Jersey Sport has been established as an independent grant-funded body and is a company limited by shares

However, Jersey Sport could be added to Schedule 1 of the Law by Regulations if approval is granted by the States.