

**STATEMENT TO BE MADE BY THE ASSISTANT MINISTER TO THE CHIEF  
MINISTER ON TUESDAY 29th MARCH 2011**

**Control of Housing and Work (Jersey) Law 201- and Register of Names and Addresses  
(Jersey) Law 201-**

As we move toward a debate on new laws to manage immigration and for public authorities to share name and address data, it is important that recent misconceptions are laid to rest and concerns allayed.

This is why today I want to explain why the new proposed system will be more effective and cheaper, and that an identity card is NOT planned.

- As far as the general public are concerned, they will have an updated social security card, which will also show their residential status. They will use this card only when they start new work, or purchase or lease property, At no other time will they be required to produce or carry their card.
- A photograph is not being proposed, because most Islanders already have photographic identification to use alongside the card, and it is not felt necessary to create another type, especially bearing in mind the risks this could bring – for example, around identity theft.
- The updated social security card will avoid the need to apply for housing consent, and will mean employers can be certain about their ability to take on a new recruit.

This is why these simple cards will reduce costs and improve compliance.

The new rules will also be more effective and cheaper for other reasons, for example:

- Name and address data will be shared between public authorities for statutory purposes, and collection methods will be combined, for example, Income Tax, Manpower, and Social Security Returns will be combined, and change of address notifications provided to different Departments can be combined.
- There will also be simpler rules and less red tape for businesses – for example, applications will no longer be needed to recruit staff who are Entitled.

To support this, a replacement IT system will be needed. It is estimated that this will cost £565,000, but we believe we can reduce these costs. This system will replace the existing Population Office IT systems, which are over 12 years old, and will also provide a platform for on-line services to Islanders in the future.

In addition, the annual costs of administering the outdated 1949 Housing Law, and the 1973 Regulation of Undertakings and Development Law, will be reduced by £33,000. So, if we continue with the existing legislation we will be continuing with the existing costs, and savings and improvements will not be delivered.

This is an opportunity to have a modern set of rules by which Islanders, government, and businesses can work together, and also achieve a financial saving.

If any member wants to discuss these important proposals with me or our Officers, please do not hesitate to ask.

## STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

### 5. Senator P.F. Routier, Assistant Minister to the Chief Minister - statement regarding the Draft Control of Housing and Work (Jersey) Law 201- and the Draft Register of Names and Addresses (Jersey) Law 201-

#### 5.1 Senator P.F. Routier (Assistant Chief Minister):

As we move toward a debate on new laws to manage immigration and for public authorities to share name and address data, it is important that recent misconceptions are laid to rest and concerns allayed. This is why today I want to explain why the new proposed system will be more effective and cheaper, and that an identity card is not planned. As far as the general public are concerned they will have an updated social security card, which will also show their residential status. They will use this card only when they start new work or purchase or lease property. At no other time will they be required to produce or carry their card. A photograph is not being proposed, because most Islanders already have photographic identification to use alongside the card. It is not felt necessary to create another type, especially bearing in mind the risks this could bring; for example, around identity theft. The updated social security card will avoid the need to apply for housing consent and will mean employers can be certain about their ability to take on a new recruit. This is why these simple cards will reduce costs and improve compliance. The new rules will also be more effective and cheaper for other reasons; for example, name and address data will be shared between public authorities for statutory purposes and collection methods will be combined.

[12:00]

For example, income tax, manpower and social security returns will be combined and the change of address notification provided to different departments can be also combined. There will also be simpler rules and less red tape for businesses; for example applications will no longer be needed to recruit staff who are entitled. To support this, a replacement I.T. (information technology) system will be needed. It is estimated that this will cost £565,000, but we believe we can reduce these costs. This system will replace the existing Population Office I.T. systems, which are over 12 years old, and will also provide a platform for online service to Islanders in the future. In addition, the annual costs of administering the outdated 1949 Housing Law and the 1973 Regulation of Undertakings and Development Law will be reduced by £33,000. So if we continue with the existing legislation we will be continuing with the existing costs and savings and improvements will not be delivered. This is an opportunity to have a modern set of rules by which Islanders, governments and business can work together and also achieve a financial saving. If any Member wants to discuss these important proposals with me or our officers, please do not hesitate to ask.

#### The Bailiff:

Very well. Members have up to 10 minutes to ask questions. Deputy Martin?

#### 5.1.1 Deputy J.A. Martin:

I would like to thank the Assistant Minister; he did meet with me and his officers. I had a few concerns. Overall I am now quite supportive. I just have one observation; in the first line, again, of the statement: "New laws to manage immigration." We have got exactly what is on the tin, Control of Housing and Work (Jersey) Law. Would the Assistant Minister not agree that this is what we have? We are changing something, it will not manage immigration into Jersey.

#### Senator P.F. Routier:

The title of the law has been changed from what people were expecting a migration law to control, as the Deputy has quite rightly said. The information that we will receive from this new

system will enable us to control the level of population to whatever the States decided. If the States decide that they want a migration ... whatever policy they want, whatever number of people they feel should be in the Island; this legislation will help to achieve that. The tap can be turned on and off by this legislation.

#### **5.1.2 Deputy A.E. Jeune:**

Could the Assistant Minister advise whether he has considered the use of smart cards, which could facilitate other departments such as the Health Department as to a person's entitlement to free hospital treatment, their blood type, their allergies, specific medical or health issues, *et cetera*? If he has, why has it not been progressed and if he has not, would he?

#### **Senator P.F. Routier:**

The type of card that we are proposing within this legislation suits the needs of this legislation only. There are obviously possibilities to do other things, but we have not looked at taking it to wider purposes, as far as the Deputy is suggesting. But there is the possibility within the legislation to bring regulations to this House to assist with health screening. For instance, any public authority which wants to come to this House with regulations to do something else can achieve that by bringing something to this House. But for the purposes of this legislation it has been kept as simple as we possibly could do.

#### **5.1.3 Deputy G.P. Southern:**

On that very point, the Minister said this card will not be required on any other occasion apart from housing and work. But there are regulations enabled in this law to allow any Minister to bring to the House a request to use this card or this register for another purpose. Are we not in danger of doing the worse possible case, which is having a simple law initially but one which is subject to mission creep, as every Minister says: "Oh, I could use this for another purpose" and just bolting-on secondary legislation on to what is basically a simple system to do 2 things?

#### **Senator P.F. Routier:**

I think what we need to focus on is the purpose of the law that will be coming forward. What we are trying to achieve is a simple system, which will control the housing and work, and also bring forward the registration of names and addresses. We have designed it in that way, so that it is as simple as it possibly can be. The worry that the Deputy has about mission creep; it will be a conscious decision for this House each time any Minister wants to bring anything forward. The House will then say yay or nay to whether they approve of that or not. As far as this legislation is concerned the information that would be on the card will achieve what we need it to.

#### **5.1.4 Deputy G.P. Southern:**

If I may, a supplementary, Sir? Following on from the particular case that was just referred to by a previous questioner about entitlement to free treatment at the hospital, if there is any advantage to be gained by the use of this card then surely we have a big security risk if anybody finds somebody else's card and can attain that benefit using somebody else's card with no photo on it, it is not very secure. Can the Minister reassure us that that sort of thing will not be allowed to happen?

#### **Senator P.F. Routier:**

The worry that the Deputy has is one of the exact reasons why we are keeping this as tight as we possibly can. We are not extending it to those purposes. I think Members need to just focus on how simple and tight we are keeping this. As the Deputy says, there is a regulation which would allow further enhancements at a later stage, but for our purposes we are not going there at the present time.

#### **5.1.5 Deputy T.A. Vallois:**

There are members of the public that are extremely concerned that this will cost a significant amount of money at a time when we should be saving. Although the Assistant Minister tries to reassure in the statement it only gives me reason to ask that he provides a cost benefit analysis as to how much it is currently costing to run these 2 laws separately by 3 departments and how much it will cost if it is introduced.

**Senator P.F. Routier:**

Yes, I am very happy to do that. We have obviously done that work. The current legislation, the Housing Law and the Regulation of Undertakings and Development costs £814,000 a year to administer. What we are proposing is that it will cost £781,000 to run, but there will be some fees charged for various things, which are going to be consulted upon with the business community, which will reduce that charge to the States. The Treasury are asking us that there be a full cost recovery basis, so we will need to look at how those charges are made. When you compare to what we currently have, when people want to transact on a house they have to pay a fee for housing consent and there are various fees for hawkers' licences and all that. So all of that is being reviewed and is going to be consulted on, but on the basis we are aiming for a full cost recovery of the costs.

**5.1.6 Senator F. du H. Le Gresley:**

The Assistant Minister has been trying to allay concerns, he says in his statement. In particular I would like to draw to the fact that the photograph is not being proposed. So I would ask the Assistant Minister why it says on page 12 of the introduction to the law: "A regulation-making power permits the States to include the holder's photograph on the card." Surely if any member of the public read that, their fears would not be allayed?

**Senator P.F. Routier:**

The Senator is quite right. The reason that is in the report is because there are different views out there. The Social Survey that was carried out a year or so ago asked us a question about whether people would be happy with having a photograph on a card and the Island was split; it was about 50:50 whether people would like a photograph on it. It was felt that when we were drawing-up the legislation that it would be possible to have a photograph put on, but for our purposes what we are saying is we do not need a photograph. When somebody has a simple social security card they would use their ordinary identification, e.g. their passport, in conjunction with the information which is on the social security card. That is the reason it is in the report.

**5.1.7 Deputy J.M. Maçon of St. Saviour:**

I did attend the presentation offered by the Assistant Minister and I was very grateful for that. However, in that presentation part of the failings of the current system is that there are not enough compliance officers going around enforcing and checking and making sure that the regulations work. Can the Minister give the assurance that, in the figures he has given to the Assembly, he will readdress this, by factoring-in more compliance officers? Because otherwise the regulations as proposed will not be as effective as the Assistant Minister is promoting.

**Senator P.F. Routier:**

Yes, certainly. There are 2 mechanisms for compliance in this new system. There are obviously the individuals - manpower - going around checking things. I have to say, the enhancements there are going to be with pulling together all the information from the various departments through the housing, social security and tax sources, because it is combined manpower returns, the compliance is going to be a lot, lot easier than what we currently have, because they are all different pieces of collecting of information. But now with all the consolidation of all that information the compliance is going to be a lot, lot tougher. But if we are going to be looking at employing more staff for compliance... well, that is a matter we shall have to put into the

Business Plan to see if the States are prepared to give more resources to that. As I say, the compliance is going to be a lot tighter with the combining of all the information.

**5.1.8 Senator S.C. Ferguson:**

The Minister stated that it was a means of controlling immigration. Is this absolutely realistic? Surely the only way to control immigration is through border controls?

**Senator P.F. Routier:**

I honestly cannot recall saying it would be controlling immigration. This is controlling access to work and access to housing. If I did say it, I do apologise, but I cannot recall having said that. We all know that border controls for British citizens and E.U. nationals... it is not possible coming into Jersey. So people can come to the Island, but the tried and tested way of attempting to control our population is through our existing housing legislation and Regulation of Undertakings and Development. This is going to be replaced by a lot tighter and a lot more stringent legislation through the control of housing and by way of legislation.

**The Bailiff:**

Very well. I am afraid the time has run out, so that brings questions to the Assistant Minister to an end. We come next to a statement which the Chairman of Health, Social Security and Housing Scrutiny Panel will make regarding the income support benefit review. Chairman, just before you make it, the Greffier has advised that there was an issue over whether you had the consent of your panel that is required by Standing Orders. Has that now been granted?