

States of Jersey
States Assembly



États de Jersey
Assemblée des États

Records of Meetings

Year: 2018

The following records of meetings have been approved by the Panel.

Signed

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a series of loops and a long horizontal stroke.

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Chairman
Economic Affairs Scrutiny Panel

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 21st June 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin
Apologies	Deputy Scott Wickenden
Absent	
In attendance	Richard Corrigan, Chief Officer; Financial Services, Digital and Innovation George Pearmain, Lead Policy Adviser; Financial Crime Louise Richardson, Lead Policy Adviser; Private Wealth Tom Wherry, Lead Policy Adviser; Brexit and Financial Services Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Vice Chairman The Panel appointed Deputy David Johnson as its Vice-Chairman	
2. Working Practices The Panel discussed its working practices and agreed to use the shared document facility (SharePoint) for electronic access to documentation. The Panel noted a paper from the Chairman outlining a framework to help guide and standardise Panel reviews. It was noted that, subject to further discussion, future reviews would analyse the economic, social and environmental impacts of a topic in order to ensure a sustainable economy. It was agreed that the Chairman and Officer would discuss the framework and how it could be introduced into future Panel reviews.	KM/KB
3. Schedule of Meetings The Panel agreed that it would meet fortnightly on Thursday mornings.	
4. Quarterly Hearings The Panel agreed that its first Quarterly Hearing would take place with the Minister for Economic Development, Tourism, Sport and Culture in October 2018. The Panel requested that Quarterly Hearings were also organised with the Minister for External Relations who had responsibility for financial services.	KB
5. Work Programme The Panel noted the Legacy Report from the previous Economic Affairs Scrutiny Panel. It agreed to include the Rural Economy Strategy, Licensing Law and the Channel Islands Competition and Regulatory Authorities (CICRA) to its work programme. The Panel also identified a number of other areas including Jersey Sport, Tourism, the Opera House, data protection, skills and gender inclusivity in the workplace as possible topics for review. The Officer advised that a work programme would be drafted in time for the Panel's next meeting.	KB
6. Conflicts of Interest	

<p>The Panel noted the requirements set out in the Proceedings Code of Practice with regard to declaration of interests.</p> <p>The Chairman declared that he was occasionally commissioned to write articles and media releases for Sure (telecommunications service).</p> <p>Deputy Johnson declared that his daughter was the Chief Internal Auditor for the States of Jersey.</p>	
<p>7. Site visits and briefings with Ministers</p> <p>The Panel requested a meeting with the Minister for Economic Development, Tourism, Sport and Culture on 5th July to discuss his Department's priorities and work programme.</p> <p>The Panel agreed that other meetings and site visits, such as a tour of Ports of Jersey, would also be organised once it had met the Minister.</p>	<p>KB</p> <p>KB</p>
<p>8. Scrutiny Training</p> <p>The Panel noted that it was due to receive "What is Effective Scrutiny?" training from Hannah White (Institute of Government) on 6th July. The Officer explained that the Chairmen's Committee was due to discuss additional training packages such as Chairman training, media training and question training. It was anticipated that these would be organised to take place in September/October.</p> <p>The Panel also noted that all Panels had the opportunity to visit the House of Commons and Westminster as part of the training package. It was noted that the visit would most likely be organised during the first half of 2019.</p>	
<p>9. Briefing: Forthcoming Propositions</p> <p>The Panel met with Officers from the Chief Minister's Department to discuss several pieces of legislation which were due to be debated on either 26th June or 10th July. The propositions included:</p> <ul style="list-style-type: none"> • P.59/2018 - Draft Companies (Demerger) Regulations 201- • P.74/2018 - Draft Financial Services Commission (Amendment No.7) (Jersey) Law 201- • P.75/2018 - Draft Proceeds of Crime (Amendment No.3) (Jersey) Law 201- • P.81/2018 - Draft Limited Liability Partnerships (Jersey) Law 2017 (Appointed Day) Act 201- • P.82/2018 - Draft Limited Liability Partnerships (Amendment of Law) (Jersey) Regulations 201- • P.83/2018 - Draft Limited Liability Partnerships (Dissolution and Winding Up) (Jersey) Regulations 201- • P.85/2018 - Draft Limited Liability Companies (Jersey) Law 201- <p>P.59/2018</p> <p>The Officers explained that a mergers regime had been inserted into the Companies (Jersey) Law 1991. Within the Law an enabling provision had also been inserted</p>	

which allowed the States to make regulations to permit the demerger of Jersey companies. The introduction of a demerger regime would enable the undertaking, property, rights and liabilities of a Jersey Company to be divided amongst two or more companies.

The Panel asked a number of questions around P.59/2018 and the Officers agreed to provide written responses. The Officers also confirmed that P.59/2018 would be debated on 10th July.

KB

P.74/2018

The Officer explained that the Law provided two amendments in relation to the establishment and functions of the Jersey Financial Services Commission (JFSC) as Jersey's financial regulator. The first amendment extended the current Civil Penalties regime operated by the JFSC to allow the Commission to impose a civil financial penalty on a principal person. The previous regime only allowed penalties to be imposed on firms rather than individuals.

P.75/2018

The Panel noted that the Proposition proposed amendments to the Proceeds of Crime (Jersey) Law 1999 following the publication of a report on Jersey by Moneyval (Committee of Experts on the Evaluation of Anti-Money Laundering Measures).

P.81/2018, P.82/2018 and P.83/2018

The Panel noted that the Limited Liability Partnerships (Jersey) Law 2017 replaced the 1997 Law of the same name. The Law provided for the establishment, dissolution and winding up of limited liability partnerships, for their registration and for connected purposes.

The Officers explained that P.81/2018 would bring into force the Law in its entirety on 1st August 2018. P.82/2018 provided for transitional arrangements to the Law for all Limited Liability Partnerships that existed under the 1997 Law. P.82/2018 provided for the dissolution and winding up of a limited liability partnership in the case where the partnership was either solvent or insolvent.

P.85/2018

The Officers explained that the Law would provide for the establishment of limited liability companies in Jersey. These would be legal entities prevalent in the US that shared features with both companies and partnerships. The Officers explained that the previous Economic Affairs Scrutiny Panel had received a PowerPoint presentation in October 2017 on P.85/2018.

The Panel noted that the Proposition was due to be debated on 10th July. The Panel raised concerns that it would not have sufficient time to look into the Law in more detail. Officers explained that it would be possible to defer the Law to give the Panel time to undertake further work. The Panel requested a further meeting with Officers on 5th July to discuss the matter further.

KB

Once the Officers had withdrawn from the meeting the Panel agreed that most of its concerns were in relation to P.59/2018. The Panel agreed that the matter would be discussed with Officers on 5th July once it had received written responses to questions raised.

10. Future Meetings

The Panel noted that its next meeting was due to take place on Thursday 5th July at 9:30am in the Le Capelain room, States Building.	
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Economic Affairs Scrutiny Panel

Record of Meeting

Date: 5th July 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin Deputy Scott Wickenden
Apologies	
Absent	
In attendance	Senator Steve Pallet, Assistant Minister, Economic Development, Tourism, Sport and Culture Department [item 3] Darren Scott, Director, Economic Development, Tourism, Sport and Culture Department [item 3] Ian Clarkson, Business Manager, Chief Minister's Department [item 3] Richard Corrigan, Chief Officer; Financial Services, Digital and Innovation [item 2] Louise Richardson, Lead Policy Adviser; Private Wealth [item 2] Tom Wherry, Lead Policy Adviser; Brexit and Financial Services [item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the record of its meeting held on 21st June 2018.</p>	
<p>2. Briefing: Forthcoming Propositions</p> <p>The Panel met with Officers from the Chief Minister's Department to discuss:</p> <p>P.59/2018 - Draft Companies (Demerger) Regulations 201-</p> <p>P.85/2018 - Draft Limited Liability Companies (Jersey) Law 201-</p> <p>P.59/2018</p> <p>The Officers were thanked for providing written responses to several questions posed by the Panel.</p> <p>The Panel explained that it had contacted the Jersey Advisory and Conciliation Service, the Jersey Chamber of Commerce, the Citizen's Advice Bureau and the Jersey Pensions Association in order to obtain their views on P.59/2018. The Panel confirmed that it was happy for P.59/2018 to be debated on 10th July.</p> <p>P.85/2018</p> <p>The Panel received a PowerPoint presentation on P.85/2018. It was noted that P.85/2018 would provide for the establishment of limited liability companies in Jersey. The Officers explained that P.85/2018 would be debated in September which would allow the Panel time to undertake further work on the legislation if necessary.</p>	

<p>Once the Officers had withdrawn from the meeting the Panel agreed to issue a Comments paper on P.59/2018. It also agreed that it would undertake further work on P.85/2018.</p>	
<p>3. Meeting with the Assistant Minister: Economic Development, Tourism, Sport and Culture</p> <p>The Panel met with the Assistant Minister to discuss his priorities over the current term of office and the Department's work programme. It was noted that, as part of One Government, the Department would be part of the Growth, Housing and Environment Department. In that regard, the Panel was advised that the Department was going through a transitional phase and that definitive work-streams would be confirmed in due course.</p> <p>Nonetheless, the Panel and Assistant Minister discussed several areas including Jersey Sport, Fort Regent, the Rural Economy Strategy, digital and tourism legislation.</p> <p>The Panel requested an update on the Draft Liquor Licensing (Jersey) Law 201-. Officers advised that the matter was being discussed and a way forward would be agreed in due course.</p> <p>The Assistant Minister advised the Panel that his top priority was to develop new plans for the Jersey Aircraft Registry. Furthermore he advised that additional priorities would be confirmed before the summer recess.</p>	
<p>4. Work Programme</p> <p>The Panel agreed to defer this item until its next meeting on 19th July.</p>	
<p>5. Site visits and briefings with Ministers</p> <p>The Panel agreed to defer this item until its next meeting on 19th July.</p>	
<p>6. Future Meetings</p> <p>The Panel noted that its next meeting was due to take place on Thursday 19th July at 9:30am in the first floor meeting room, Morier House.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Meeting held by electronic mail

Date: 6th July 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin Deputy Scott Wickenden
Apologies	
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. P.59/2018 - "Draft Companies (Demerger) (Jersey) Regulations 201-" The Panel noted and approved its Comments paper on P.59/2018.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 19th July 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin Deputy Scott Wickenden
Apologies	
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of the meetings held on 21st June and 6th July 2018.</p>	
<p>2. P.85/2018 - Draft Limited Liability Companies (Jersey) Law 201-</p> <p>The Panel discussed P.85/2018 and noted that it would be debated on 11th September. The Panel agreed that it would draft a list of questions which would be passed to Officers from the Chief Minister's Department. The Panel agreed that it would aim to issue Comments on P.85/2018 before the debate.</p> <p>The Panel agreed that the Law, if approved by the States, would be a topic to consider for review in the future in terms of examining how effective it had been.</p>	
<p>3. Retail Policy Review</p> <p>The Panel discussed its work programme and agreed to undertake a review on Retail Policy. It was noted that the last retail policy had been published in 2006 and updated in 2010. The Panel agreed that it would base its review on the previous Economic Affairs Scrutiny Panel's review on Retail Policy undertaken in 2014 (S.R.6/2014). The review focused on examining the policies and actions of the Minister for Economic Development, Tourism, Sport and Culture towards the retail sector.</p> <p>The Officer advised that a draft Scoping Document would be circulated in due course.</p>	KB
<p>4. Site visits and meetings</p> <p>The Panel tasked the Officer to arrange several meetings and site visits with key stakeholders including Ports of Jersey, Jersey Business, Jersey Sport, Visit Jersey and Digital Jersey. The Officer advised that a schedule for the visits would be confirmed in due course.</p> <p>The Panel also noted that a visit to Westminster would likely take place during the first quarter of 2019.</p>	KB
<p>5. Briefing Guidelines</p> <p>The Panel noted that a set of Briefing Guidelines had been agreed by the Chairmen's Committee for distribution to Scrutiny Panels and the Public Accounts Committee.</p>	

19.07.2018

<p>The Panel agreed with the principle of the guidelines but discussed whether the deadline of two days to receive background information should be extended to at least five working days. The Chairman agreed to relay the Panel's deliberations to the Chairmen's Committee.</p>	KM
<p>6. Future Meetings</p> <p>The Panel noted that its next scheduled meeting was due to take place at 9:30a.m on 2nd August 2018 in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 2nd August 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin
Apologies	Deputy Scott Wickenden
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Records of Meetings The Panel noted and approved the record of the meeting held on 19th July 2018.	
2. P.85/2018 - Draft Limited Liability Companies (Jersey) Law 201- The Panel discussed P.85/2018 and agreed that it would draft a list of questions which would be passed to Officers from the Chief Minister's Department.	
3. Retail Policy Review The Panel discussed the Scoping Document and Terms of Reference for the review and made minor amendments. It was agreed that these would be circulated for final approval before being submitted to the Chairmen's Committee.	KB
4. Site visits and meetings The Panel noted a schedule of meetings which had been organised with various organisations.	
5. Future Meetings The Panel noted that its next scheduled meeting was due to take place at 9:30a.m on 30th August 2018 in the Le Capelain room, States Building.	

Economic Affairs Scrutiny Panel

Record of Meeting

Meeting held by electronic mail

Date: 3rd August 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Kevin Pamplin Deputy Scott Wickenden
Apologies	
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Retail Policy Review The Panel approved the Scoping Document and Terms of Reference for the review.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 30th August 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	Deputy Kevin Pamplin
Absent	
In attendance	Graeme Smith, Chief Executive Officer, Jersey Business Andy Jehan, Chairperson, Jersey Business Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of its meetings held on 2nd and 3rd August 2018.</p>	
<p>2. Briefing: Jersey Business</p> <p>The Panel met with Graeme Smith and Andy Jehan of Jersey Business for a briefing on the roles and responsibilities of the organisation. The Panel was advised that Jersey Business was established in 2012 and its primary focus was to support businesses. Since it was established, Jersey Business had supported a number of businesses to develop their growth plans and productivity.</p> <p>The Panel noted that although Jersey Business was supported by the States of Jersey, it worked independently to provide a free and confidential advisory service.</p> <p>The briefing followed a brief discussion on the Panel's review of retail. Jersey Business confirmed that it could input into the review and the Panel advised that it would be in contact in due course.</p>	KB
<p>3. Retail Policy Review</p> <p>The Panel noted that several submissions had been received in response to the call for evidence. The Panel noted that numerous letters had been drafted to targeted stakeholders and agreed that these would be approved by the week commencing 3rd September.</p> <p>The Panel queried the Good and Services Tax (GST) process for retailers and tasked the Officer to arrange a briefing. The Officer explained that clarity would be sought on which Department would be best placed to answer the Panel's queries.</p> <p>The Panel discussed the option of purchasing a GOAD map (street map including individual buildings and their uses) of St Helier. The Panel noted that a digital version would cost approximately £225 and agreed that it would make a useful visual contribution to the review. The Officer was tasked to make the necessary arrangements.</p>	KB KB
<p>4. P.85/2018 - Draft Limited Liability Companies (Jersey) Law</p>	

30.08.2018

<p>The Panel noted and approved a Comments paper in respect of P.85/2018. The Panel agreed that the Comments would be circulated to the Chief Minister as a matter of courtesy before being presented.</p>	
<p>5. Site Visits and Meetings</p> <p>The Panel noted that site visits to the harbour and airport had been organised with Ports of Jersey to take place in September and October.</p>	
<p>6. Future Meetings</p> <p>The Panel noted that it would next meet at 9:30a.m. on 6th September 2018 in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 6th September 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	Deputy Kevin Pamplin
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Records of Meetings The Panel noted and approved the records of its meetings held on 30th August 2018.	
2. Retail Policy Review The Panel received an update on the progress of the review and noted that all stakeholder letters had been posted. The Panel requested that several other stakeholders were targeted such as garden centers and charity shops. The Officer advised that a GOAD map of St Helier retail outlets would be purchased in due course. The Panel briefly discussed its Public Hearing list of witnesses and agreed that this would be confirmed once responses had been received from targeted stakeholders. The Panel requested that a briefing was organised with the Growth, Housing and Environment Department to discuss what work the Department was currently undertaking regarding retail policy to ensure that there was no duplication.	KB KB
3. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture: Question Plan The Panel noted that it was due to receive the Minister for a Quarterly Public Hearing on 4th October. The Panel discussed a list of question areas and agreed that these would be discussed further at the next meeting.	
4. Future Meetings The Panel noted that it would next meet at 9:30a.m. on 20th September 2018 in the Le Capelain room, States Building.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 20th September 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	Deputy Kevin Pamplin
Absent	
In attendance	Jim Hopley, Member of various third sector organisations [Item 4] Lorie Rault, Chief Executive, Jersey Retailers Association [Item 3] David Elliot, Chairman, Retail Development Group [Item 3] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of its meetings held on 6th September 2018.</p>	
<p>2. Retail Policy Review</p> <p>The Panel noted that progress was being made on the review. It was agreed that once the deadline for submissions had passed the Panel would discuss its Public Hearing list.</p>	
<p>3. Meeting with Jersey Retailers Association</p> <p>The Panel met the Chief Executive and Chairman of the Jersey Retailers Association to discuss further the opportunities and challenges of the retail sector. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Absolute Exemption Article 26.</p>	
<p>4. Meeting with Jim Hopley</p> <p>The Panel met with Jim Hopley to discuss a range of issues within the Panel's remit including the retail sector and the National Park. In terms of retail Mr. Hopley explained that the biggest challenges were the retail tax and high commercial rents. He also explained that Brexit, particularly a hard Brexit, may create additional challenges for retailers.</p> <p>In terms of the National Park, Mr. Hopley explained that the park encompassed an area of protected coastline and was enjoyed by the community. He explained that the area had the potential to become an "economic hub" but needed political support.</p> <p>The Panel thanked Mr. Hopley for his time and he withdrew from the meeting.</p>	
<p>5. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture: Question Plan</p>	

<p>The Panel noted that it was due to receive the Minister for a Quarterly Public Hearing on 4th October. The Panel discussed a list of question areas and agreed to meet on 3rd October to prepare for the Hearing.</p>	
<p>6. Future Meetings</p> <p>The Panel noted that it would next meet at 9:30a.m. on 4th October 2018 in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 24th September 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	Deputy Kevin Pamplin
Absent	
In attendance	Carl Walker, Chairman, Jersey Consumer Council [item 1] Anne King, Chief Executive Officer, Jersey Consumer Council [item 1] Doug Bannister, Chief Executive Officer - Ports of Jersey [item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Meeting with the Jersey Consumer Council</p> <p>The Panel met the Chairman and the Chief Executive Officer of the Jersey Consumer Council (JCC) to discuss how the JCC could assist the Panel in its review of retail in Jersey. The JCC was of the view that collaborative working was required as work was being undertaken on retail by other sectors. The Panel explained that it was important that scrutiny reviews were independent and separate to other reviews, and in particular any work being undertaken by the Growth, Housing and Environment Department.</p> <p>The JCC invited the Panel to attend one of its meetings to discuss the matter further with its members and it was agreed that this would be coordinated in due course.</p>	KB
<p>2. Ports of Jersey visit</p> <p>The Panel met with the Chief Executive Officer of the Ports of Jersey and was given a tour of the airport and its facilities. It noted that it was due to visit the harbour on 17th October.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 3rd October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore [Item 2, as Chairman of the Corporate Services Scrutiny Panel]
Apologies	
Absent	
In attendance	Colin Powell, Adviser, Chief Minister's Department [Item 2] Niamh Moylan, Director, International Tax, Income Tax [Item 2] Tom Le Feuvre, Head of International Agreements, Chief Minister's Department [Item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Panel discussed its question plan in preparation for the Quarterly Hearing with the Minister on 4th October.</p>	
<p>2. P.97/2018: Ratification of the Agreement between the Government of Jersey and the Government of the UK of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the prevention of Tax Evasion</p> <p>The Panel met officers to discuss P.97/2018 which was lodged for debate on 9th October. The Officers provided the Panel with an overview of the process of ratifying a signed international tax agreement such as a Double Tax Agreement (DTA) or a Tax Information Exchange Agreement (TIEA).</p> <p>Officers explained that Jersey had a longstanding general policy of complying with international standards set by organisations such as the Organisation for Economic Co-operation and Development (OECD).</p> <p>The Panel was advised that Jersey negotiates DTAs and TIEAs in its own right in accordance with a Letter of Entrustment granted by the UK Government. It was noted that the negotiation of TIEAs was straightforward but the negotiation of DTAs was more complex. It was explained that DTAs, although in line with the OECD Model Convention, incorporated rates of withholding tax and other matters particular to the avoidance of double taxation which had to be agreed between the parties to the negotiation. Negotiating a DTA therefore could be a technical, complex and lengthy process.</p> <p>The negotiation of international tax agreements was coordinated by External Relations and the Minister in cooperation with the Taxes Office. It was advised that Ministers with responsibility over external affairs and tax matters, namely the Minister</p>	

for External Relations and the Minister for Treasury and Resources, were briefed regularly on the progress of negotiation of new international agreements.

In terms of updating the Panel, Officers noted that the Minister for External Relations regularly updated the Corporate Services Scrutiny Panel during Quarterly Public Hearings. The Panel advised Officers that it was the intention that matters relating to external affairs would be transferred to the Economic Affairs Scrutiny Panel, pending States approval.

In the negotiation of the new DTA with the UK, the Panel was advised that a main objective was to replace the existing 1952 agreement. The new DTA was clearer than the old Agreement on the provisions for the avoidance of double taxation in respect of the payment of dividends, interest and royalties. The DTA also made it easier for individuals to avoid double taxation when they moved between Jersey and the UK due a residency clause (Article 4(3)).

In terms of sharing information with other jurisdictions the Panel asked about safeguards if the jurisdiction was undesirable. The Officers explained that jurisdictions would be required to already be signed up to international standards and safeguards. Furthermore, the Panel was advised that confidentiality was an important factor in exchanges.

The Panel also asked about Article 24 (non-discrimination) and was advised that under the Article residents and non-residents could not be discriminated against.

The Panel thanked the Officers for their time and they withdrew from the meeting.

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 4th October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	
Absent	
In attendance	Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture [Item 2] Senator Steve Pallett, Assistant Minister, Economic Development, Tourism, Sport and Culture [Item 2] Deputy Montfort Tadier, Assistant Minister, Economic Development, Tourism, Sport and Culture [Item 2] Darren Scott, Director of Economic Development, Tourism, Sport and Culture [Item 2] Dan Houseago, Group Director, Economy and Partnerships [Item 2] Ian Clarkson, Interim Private Secretary [Item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel agreed to defer the approval of the records until the next meeting.</p>	
<p>2. Quarterly Hearing with the Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Panel held a Quarterly Public Hearing with the Minister and his Officers. The proceedings were recorded in order that a transcript could be made.</p>	
<p>3. Retail Policy Review</p> <p>The Panel noted that the deadline for submissions had passed and that a good response had been received. Once the Quarterly Hearing had taken place the Panel briefly discussed with Departmental Officers the Department's work on retail. The Panel was advised that the Department's aim was to publish its findings by the end of 2018.</p> <p>Once the Officers withdrew from the meeting, the Panel agreed that it would aim to publish its report in November. Furthermore the Panel agreed that it would be beneficial to publish its review in two parts. Part one in 2018 with a view to following up the Department's work and its own recommendations at a later stage.</p>	
<p>4. P.97/2018: Ratification of the Agreement between the Government of Jersey and the Government of the UK of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the prevention of Tax Evasion</p>	

<p>The Panel recalled that it had received a briefing on P.97/2018 and agreed that no further work was necessary. The Chairman agreed to inform the States Assembly that the Panel had received a comprehensive briefing from Officers.</p>	
<p>5. Future Meetings</p> <p>The Panel noted that its next scheduled meeting would take place at 9:30a.m. on 18th October 2018 in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 9th October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman
Apologies	
Absent	Deputy Scott Wickenden
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Retail Policy Review The Panel met to discuss the key themes arising from the written submissions it received during the call for evidence. The Panel agreed that the next steps would be to confirm a public hearing list. The Officer advised that a list would be drafted for approval at the Panel's next scheduled meeting.	KB

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 17th October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore [item 2]
Apologies	
Absent	
In attendance	Steve Jewell, Managing Director, Romerils [item 1] Colin Gaskel, Retail Operations Manager, Romerils [item 1] Doug Bannister, Chief Executive Officer, Ports of Jersey [item 2] Aaron Gavey, Manager – Jersey Coastguard, Ports of Jersey [item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Policy Review</p> <p>The Panel met the Managing Director and Retail Operations Manager of Romerils to discuss in more detail the issues raised in their submission. It was noted that Romerils was a locally owned company and operated from two sites - Dumaresq Street and La Collette, with an e-commerce business “UKToolCentre” at a third in Sion Hall Farm. Dumaresq Street offered interior products and La Collette operated mostly trade business, warehousing and transport activity. Although La Collette offered products primarily for the construction industry, the shop was open to all customers. Across the three trading areas Romerils employed 134 members of staff and reported a £23 million annual turnover.</p> <p>The Managing Director explained that the retail sector in Jersey needed help and support. In total, the sector employed around 7,800 people and was an important industry for Jersey’s economy. It was noted that GST and the de minimis level of £240 had given off-island retailers an advantage. The Managing Director explained that Romerils would be supportive of a change to GST in order to create a level playing field. For example, GST charged by Romerils only on sales over £240 or the removal of the de minimis level and GST charged on all imports. The Retail Operations Manager advised that online shopping was a big threat to the retail sector and if more sales were online, more GST would be lost as a result.</p> <p>In terms of parking, it was noted that Romerils had a car park on site and although a great asset, the company was considering whether this asset could be utilised for other business activity and/or diversification of investment. It was agreed that parking was an issue for some people as town had become more pedestrianised and less on-street parking was available.</p> <p>It was noted that several respondents to the Panel’s call for evidence had raised the issue of Sunday trading and that, in order to be successful, the larger stores would</p>	

<p>need to open. The Managing Director explained that Romerils had no plans to start trading on a Sunday, regardless of regulation. The reasons given were that it would increase operating costs and also Sunday should remain a family/leisure day. The Managing Director acknowledged that deregulation of Sunday trading would most likely happen in the future as a result of preference and pressure from large UK retail chains operating in the Island.</p> <p>A general discussion regarding the retail industry followed and it was noted that in order to succeed within the industry, businesses would need to think of new ways of working such as “retail theatre” and present unique selling points. It was agreed that the retail sector made a significant contribution to the economy and the community, and some, such as Romerils, supported charitable organisations by donating £50,000 per annum.</p> <p>Regarding the retail tax, it was noted that tax was only collected from retailers with a profit of over £500,000 and if 60% of their business was to retail consumers. It was the Managing Director’s view that additional revenue was missed by not taxing wholesale businesses. He also commented that the rate of the retail tax 20% should be reviewed downwards, and be beneath the UK retail tax.</p> <p>The Panel thanked the Managing Director and Retail Operations Manager for their time and they withdrew from the meeting.</p>	
<p>2. Site Visit: Harbour, Ports of Jersey</p> <p>The Panel met with the Chief Executive Officer of the Ports of Jersey and was given a tour of the harbour and its facilities.</p>	
<p>3. New Member</p> <p>The Panel noted that Senator Kristina Moore wished to join the Panel as a Member. The Panel was advised that this would be formally agreed by the States Assembly at its next sitting on 23rd October 2018.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 18th October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden
Apologies	
Absent	
In attendance	<p>Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture [item 2] Ian Clarkson, Interim Ministerial Support Unit, Office of the Chief Executive [item 2] Kevin Lemasney, Director, Economic Development, Tourism, Sport and Culture [item 2]</p> <p>Paul Eastwood, Deputy Comptroller of Taxes [item 3] Linda Breen, Senior Compliance Officer, Income Tax [item 3] Mark Ecobichon, Assistant Director at Customs [item 3]</p> <p>Kellie Boydens, Scrutiny Officer Oliver Wilderspin, Project Trident</p>

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of its meetings held on 20th and 24th September and 3rd and 4th October 2018.</p>	
<p>2. Briefing: Locate Jersey</p> <p>The Panel met the Minister for Economic Development, Tourism, Sport and Culture and Director of Locate Jersey for a briefing on the work of Locate Jersey. It was noted that Locate Jersey was the government organisation responsible for promoting, attracting and retaining inward investment and developing High Value Residency for Jersey. Locate Jersey's role was to provide advice and guidance to facilitate individuals and companies through the process of relocating to Jersey. This included:</p> <ul style="list-style-type: none"> • Business/residency applications • Tax and contributions • Health and education • Travel and work permits <p>The Director advised that there were currently around 150 high value residents in Jersey and that, on average, 2 would leave the Island per year due to various reasons. It was noted that public perception of high value residents was not always positive and the Minister agreed that information could be published in order to quash any misconceptions. It was noted that high value individuals contributed significantly to the economy.</p>	

<p>The Panel thanked the Minister and Director for their time and they withdrew from the meeting.</p>	
<p>3. Briefing: Taxes Office</p> <p>The Panel received a PowerPoint presentation on GST in the context of retail from Officers from the Taxes Office and the Jersey Customs and Immigration Service.</p> <p>The Deputy Comptroller of Taxes explained that businesses must be registered for GST if the value of their standard rated or zero rated goods and services exceeded the GST registration threshold (£300,000). It was noted that businesses that sold only exempt goods and services could not register for GST.</p> <p>A GST registered business must declare to the Taxes Office the amount of GST they had charged and the amount of GST they had paid. This was administered through a GST return which was normally submitted every three months.</p> <p>In terms of the de-minimis level, the Deputy Comptroller of Taxes explained that Customs would not charge GST on imported goods below the value of £240. It was noted that if multiple items were ordered from the same supplier and arrived as one shipment, Customs would treat the shipment as a single delivery when considering the application of the de-minimis threshold.</p> <p>It was noted that the Budget 2019 recognised that the de-minimis level created an unlevel playing field between domestic and off-island retailers. As explained in the Budget, Ministers wanted to be satisfied that retailers would not withdraw if a GST obligation was put on off-island online retailers. It was noted that an example of this was Australia and “Amazon” who had withdrawn the availability of some of its products to Australian residents.</p> <p>In terms of administration of GST for businesses the Panel was advised that the Taxes Office introduced a “GST Retail Scheme” which was a voluntary scheme for retailers which aimed to simplify accounting requirements. The Panel was advised that if retailers chose not to operate the GST Retail Scheme then a full GST accounting system was required.</p> <p>The Panel thanked the Officers for their time and they withdrew from the meeting.</p>	
<p>4. Retail Review</p> <p>The Panel noted a list of potential witnesses and tasked the Officer to make the necessary arrangements. It was agreed that areas of questioning for each witness would be discussed at the Panel’s next meeting.</p>	
<p>5. Future Meetings</p> <p>The Panel noted that its next scheduled meeting would be held on 5th November 2018 in the Le Capelain room, States Building. The Panel also noted that it was due to receive a briefing on draft economic substance legislation at 10:00am on 19th October 2018.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 19th October 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore [Chairman of Corporate Services Scrutiny Panel] Deputy Steve Ahier [Member of Corporate Services Scrutiny Panel]
Apologies	
Absent	
In attendance	Richard Corrigan, Chief Officer, Financial Services, Chief Minister's Department Dominic Murphy, Deputy Director, Tax Policy Paul Eastwood, Deputy Comptroller of Taxes Kate Nutt, Group Director for External Relations Tom Le Feuvre, Head of International Agreements, Chief Minister's Department Tom Wherry, Lead Policy Advisor: Financial Services and Brexit, Chief Minister's Department Kellie Boydens, Scrutiny Officer Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
1. Taxation (Companies - Economic Substance) Jersey Law 201- The Panel met Officers from the Chief Minister's Department and Taxes Office for a briefing on a forthcoming Law on economic substance. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 5th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of its meetings held on the 9th, 17th, 18th and 19th October 2018.</p>	
<p>2. Retail Review</p> <p>The Panel noted that it was due to hold several Public Hearings in relation to its review:</p> <ul style="list-style-type: none"> • Minister for Treasury and Resources on 7th November • Town Centre Manager and Connétable of St Helier on 9th November • Buckley & Co on 14th November (it was noted that the Hearing may be held in private) • Minister for Economic Development, Tourism, Sport and Culture on 19th November <p>The Panel discussed and finalised the question plans for each of the Hearings but agreed that additional questions may be added to the question plan for the Minister for Economic Development in due course.</p> <p>The Panel agreed that it would be beneficial to meet with a retailer and requested that Sandpiper was invited to attend a Public Hearing.</p>	KB
<p>3. Draft Taxation (Companies - Economic Substance) Jersey Law 201-</p> <p>The Panel recalled that it had received a briefing on the draft Law. The Panel agreed that it would write a set of questions to the Department in order to inform a Comments paper. It was agreed that questions would be circulated via email before the end of the week.</p>	KB
<p>4. Quarterly Public Hearing with the Minister for External Relations</p> <p>The Panel noted it was due to hold a Quarterly Hearing with the Minister for External Relations on 29th November. The Panel agreed several areas which would be discussed further at its next meeting.</p>	
<p>5. Future Meetings</p> <p>The Panel noted that its next scheduled meeting would take place on Thursday 15th November at 9:30a.m in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 7th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Deputy Susie Pinel, Minister for Treasury and Resources Deputy Lindsay Ash, Assistant Minister for Treasury and Resources Richard Bell, Treasurer of the States Paul Eastwood, Deputy Comptroller of Taxes Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Retail Review The Panel received the Minister for Treasury and Resources, the Assistant Minister for Treasury and Resources and Officers for a Public Hearing. The proceedings were recorded in order that a transcript could be made.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 9th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman
Apologies	Deputy Scott Wickenden Senator Kristina Moore
Absent	
In attendance	Daphne East, Town Centre Manager Connétable Simon Crowcroft Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Review</p> <p>The Panel received the Town Centre Manager and the Connétable of St Helier for a Public Hearing. The proceedings were recorded in order that a transcript could be made.</p> <p>The Panel noted that it was due to receive the Chief Executive Officer of Sandpiper for a Public Hearing on Monday 12th November. The Panel discussed a draft question plan and agreed that any additional questions would be agreed before the Hearing.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 12th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Tony O'Neil, Chief Executive Officer of Sandpiper Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Review</p> <p>The Panel received the Chief Executive Officer of Sandpiper for a Public Hearing. The proceedings were recorded in order that a transcript could be made.</p> <p>The Panel noted that it was due to receive the Managing Director of Buckley & Co for a Public Hearing on Wednesday 14th November.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 14th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Simon Buckley, Managing Director of Buckley & Co Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Review</p> <p>The Panel received the Managing Director of Buckley & Co for a Public Hearing. The proceedings were recorded in order that a transcript could be made.</p> <p>The Panel noted that it was due to receive the Chamber of Commerce for a Public Hearing on Thursday 15th November.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 15th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Murray Norton, Chief Executive Officer, Jersey Chamber of Commerce Eliot Lincoln, President of the Jersey Chamber of Commerce David Dodge, Chair of the Retail and Supply Committee, Jersey Chamber of Commerce Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the record of its meeting held on 5th November.</p>	
<p>2. Retail Review</p> <p>The Panel received representatives from the Chamber of Commerce for a Public Hearing. The proceedings were recorded in order that a transcript could be made.</p> <p>The Panel noted that it was due to receive the Minister for Economic Development, Tourism, Sport and Culture for a Public Hearing on Monday 19th November.</p>	
<p>3. Draft Taxation (Companies - Economic Substance) Jersey Law 201-</p> <p>The Panel recalled that it had posed a set of questions in relation to the draft Law to the Department. The Officer explained that the Panel was due to receive written responses on 19th November. It was agreed that a Comments paper would be drafted and circulated for approval in due course.</p>	KB
<p>4. Question Plan: Quarterly Hearing with the Minister for External Relations</p> <p>The Panel received a draft question plan in preparation for the Quarterly Hearing with the Minister for External Relations scheduled for 29th November. The Panel agreed that any additional questions or changes would be made before the Hearing.</p>	
<p>5. Future Meetings</p> <p>The Panel noted that its next scheduled meeting would take place on 29th November at 9:30a.m in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 19th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy Scott Wickenden
Apologies	Deputy David Johnson, Vice-Chairman Senator Kristina Moore
Absent	
In attendance	Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport & Culture Deputy Montfort Tadier, Assistant Minister Dan Houseago, Group Director – Economy & Partnerships Chris Kelleher, Strategy Manager Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Retail Review The Panel received the Minister and his Officers for a Public Hearing. The proceedings were recorded in order that a transcript could be made.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 29th November 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Senator Kristina Moore
Apologies	
Absent	Deputy Scott Wickenden
In attendance	Senator Ian Gorst, Minister for External Relations Connétable Richard Buchanan, Assistant Minister, External Relations Richard Corrigan, Group Director Financial Services and Digital Economy David Walwyn, Director External Relations Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of its meetings held on 7th, 9th, 12th, 14th, 15th and 19th November 2018.</p>	
<p>2. Quarterly Hearing with the Minister for External Relations</p> <p>The Panel received the Minister for External Relations and his Officers for a Quarterly Public Hearing. The proceedings were recorded in order that a transcript could be made.</p>	
<p>3. Retail Review</p> <p>The Panel approved the draft Heads of Report. In order to present the final report during the week commencing 17th December, the Panel agreed to meet on 10th December to discuss and approve the draft report noting that it would then be sent to the Minister for Economic Development, Tourism, Sport and Culture and stakeholders for factual checking. The Panel also agreed that it would meet on 17th December to approve the final report.</p>	
<p>4. Jersey Sport</p> <p>The Panel recalled that the Department for Economic Development, Tourism, Sport and Culture had corresponded with the Panel regarding Jersey Sport and the Assistant Minister's role as enforcer of the Jersey Sport Development Trust.</p> <p>It was noted that Jersey Sport had been established to raise additional funding for sport. Although some organisations were likely to support Jersey Sport with some of their projects, Jersey Sport had been told that it would need to obtain charitable status before any funding was provided.</p> <p>The Department explained in its correspondence that Jersey Sport had made an application to the Charity Commissioner but were advised it would not be progressed whilst the Assistant Minister remained an enforcer of the Jersey Sport Development Trust. It was the Commissioner's view that an organisation could not be considered independent if it had a Minister in place as the enforcer.</p>	

29.11.2018

<p>It was noted that Jersey Sport had made a formal request to the Assistant Minister for the requirement of the enforcer of the Trust to be removed. It was envisaged that Jersey Sport would appoint an independent enforcer, which would allow it to gain charitable status.</p> <p>It was noted that the previous Economic Affairs Scrutiny Panel had presented a Comments paper on the Proposition (P.21/2017 Jersey Sport: Establishment) which called for the Assistant Minister to be the enforcer. In that regard, Deputy David Johnson explained that, as a Member of the previous Panel, he had concerns about the removal of the requirement.</p> <p>The Panel requested that a meeting was arranged with the Department in order for the matter to be discussed further.</p>	<p>KB</p>
<p>5. Draft Taxation (Companies - Economic Substance) Jersey Law 201-</p> <p>The Panel approved a draft Comments paper on P.132/2018. The Panel noted that the Comments would be sent to the Publications Editor on 30th November and presented to the States thereafter.</p>	<p>KB</p>
<p>6. Future Meetings</p> <p>The Panel noted that its next scheduled meeting was due to take place on Thursday 13th December at 9:30a.m. in the Le Capelain room, States Building.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 10th December 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Deputy Scott Wickenden Senator Kristina Moore
Apologies	
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Review</p> <p>The Panel discussed its draft report and requested changes to the main body. The Panel agreed that once the changes had been made, the report would be sent to the Minister for Economic Development, Tourism, Sport and Culture and other stakeholders to ensure factual accuracy.</p> <p>The Panel noted that it was due to meet on 13th December to discuss its key findings and recommendations.</p>	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 13th December 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman
Apologies	Deputy Scott Wickenden
Absent	Senator Kristina Moore
In attendance	Senator Steve Pallett, Assistant Minister, Economic Development, Tourism, Sport and Culture Darren Scott, Director, Economic Development, Tourism, Sport and Culture Ian Clarkson, Interim Ministerial Support Unit, Office of the Chief Executive Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Records of Meetings</p> <p>The Panel noted and approved the record of its meeting held on 29th November 2018.</p>	
<p>2. Retail Review</p> <p>The Panel discussed its key findings and recommendations. It agreed that it would meet on Monday 17th December to finalise the report. The Panel agreed that it would present its report during the week commencing 17th December.</p>	
<p>3. Jersey Sport</p> <p>The Panel noted that a meeting would be organised with Officers from the Economic Development, Tourism, Sport and Culture Department in order to discuss Jersey Sport and the role of the enforcer. The Officer advised that a meeting request would be sent in due course.</p>	KB
<p>4. Jersey Aircraft Registry</p> <p>The Panel met the Assistant Minister and his Officers for a private briefing on Jersey Aircraft Registry. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p>	
<p>5. Forthcoming Propositions</p> <p>The Panel noted that a Proposition - "Draft Air Navigation (Rules of the Air) (Amendment) (Jersey) Regulations" (P.142/2018) – had been lodged by the Minister for External Relations. The Panel agreed that it would discuss the Proposition at its next meeting on 11th January 2018.</p>	
<p>6. Meeting Schedule 2019</p> <p>The Panel approved the meeting schedule for 2019.</p>	

7. Future Meetings

The Panel noted that its next scheduled meeting would take place at 9:30a.m on 11th January 2019 in the Le Capelain room, States Building.

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 17th December 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Senator Kristina Moore
Apologies	Deputy Scott Wickenden
Absent	
In attendance	Kellie Boydens, Scrutiny Officer

Agenda matter	Action
1. Retail Review The Panel met to discuss the final draft of its report. The Panel made several changes to the main body based on the comments received from stakeholders. The Panel agreed that a final version of the report, along with the Chairman's Foreword, would be circulated for final approval in due course. The Officer explained that once approved, the report would be formally presented to the States.	

Economic Affairs Scrutiny Panel

Record of Meeting

Date: 20th December 2018

Present	Deputy Kirsten Morel, Chairman Deputy David Johnson, Vice-Chairman Senator Kristina Moore
Apologies	Deputy Scott Wickenden
Absent	
In attendance	Darren Scott, Director, Economic Development, Tourism, Sport and Culture [Item 2] Ian Clarkson, Interim Ministerial Support Unit, Office of the Chief Executive [Item 2] Richard Horsley, Economy and Partnerships, Economic Development, Tourism, Sport and Culture [Item 2] Kellie Boydens, Scrutiny Officer

Agenda matter	Action
<p>1. Retail Review</p> <p>The Panel approved its final report “Retail in Jersey” (S.R.18/2018). The Panel noted that the report would be presented to the States on 21st December 2018.</p>	
<p>2. Jersey Sport</p> <p>The Panel met with Officers to discuss Jersey Sport and the Assistant Minister’s role as enforcer of the Jersey Sport Development Trust.</p> <p>It was noted that although some organisations were likely to support Jersey Sport with some of their projects, Jersey Sport had been advised that it would need to obtain charitable status before any funding was provided.</p> <p>Officers explained that Jersey Sport had made a formal request to the Assistant Minister for the requirement of the enforcer of the Trust to be removed and had made an application to the Charities Commission in order to gain charitable status.</p> <p>It was noted that the previous Economic Affairs Scrutiny Panel’s Comments paper on “Jersey Sport: Establishment” (P.21/2017) had called for the Assistant Minister to be the enforcer. The Panel remained concerned about the removal of the requirement. The Panel explained that it was on account of the wide powers conferred on the Trustees (and the absence of control as to their exercise by the Department) that the previous Panel required that certain powers could not be exercised without the approval of the enforcer.</p> <p>The Panel also explained that the previous Panel had approved the overall structure after the Minister was made the enforcer and, by doing so, had informed the States Assembly. The Panel questioned whether, should the position now be reversed, the Assembly should approve the changes. The Officers explained that it was always the original intention that Jersey Sport would become a charitable organisation.</p>	

The Panel thanked the Officers for their time. It was agreed that a meeting with the Charities Commission would be organised in the New Year in order to discuss further Jersey Sport becoming a charitable organisation.

KB