



## **Brexit Review Panel Public Hearing**

Inclusion of the Bailiwick of Jersey in the E.U.-U.K.

Trade and Economic Co-operation Agreement

**Witness: The Minister for External Relations**

Monday, 8th February 2021

**Panel:**

Deputy D. Johnson of St. Mary (Chair)

Connétable M.K. Jackson of St. Brelade (Vice-Chair)

Senator K.L. Moore

Deputy R.J. Ward of St. Helier

Deputy M.R. Higgins of St. Helier

Deputy I. Gardiner of St. Helier

**Witnesses:**

Senator I.J. Gorst, The Minister for External Relations

Mr. N. Vaughan, Chief Economic Adviser

Mr. D. Walwyn, Director, External Relations

Mr. T. Le Feuvre, Director, Global Markets and International Agreements

Ms. B. Davies, Principal, External Relations Officer

Mr. T. Wherry, Lead Policy Adviser, Brexit and Financial Services

Mr. M. Berry, Senior Legal Adviser, Law Officers' Department

Ms. V. Bell, Legal Adviser, Law Officers' Department

Mr. M. Cockerham, Director of Law Enforcement for Customs and Immigration

Mr. L. Goddard, Acting Director, Customs and Immigration

Ms. C. O'Brien, Deputy Comptroller of Revenue

Mr. G. Forrest, Inspector of Motor Traffic, Driver and Vehicle Standards

[15:01]

**Deputy D. Johnson of St. Mary (Chair):**

Good afternoon, Minister and officers, and welcome to the Brexit Review Panel who are reviewing Jersey's inclusion in the E.U. (European Union)/U.K. (United Kingdom) Trade and Economic Co-operation Agreement, T.E.C.A. for short, and we look forward to inviting you to answer a number of questions. Perhaps I could begin by introducing the panel on our side. I am David Johnson, the Deputy of St. Mary, chair of the panel, and we have with us Constable Mike Jackson of St. Brelade, Deputies Mike Higgins and Rob Ward. Minister, would you like to introduce your colleagues?

**The Minister for External Relations:**

Yes, thank you, chair. I am Ian Gorst, Minister for External Relations and we are joined by a good number of officials from across government. So from the Brexit unit, we are joined by David Walwyn, Beth Davis and Tom Wherry although Tom is really the E.U. unit as well but he has been working on Brexit matters as well. We are joined by Matthew Berry from the Law Officers' Department and perhaps Victoria Bell in due course. From J.C.I.S. (Jersey Customs and Immigration Service), we have Mark Cockerham and Luke Goddard. Yes, we are joined by Victoria, thank you. From International Tax, we are due to join Cora O'Brien and Tom Le Feuvre and then from D.V.S. (Driver and Vehicle Standards) we will be joined slightly later by Gordon Forrest. Thank you, Chair.

**The Deputy of St. Mary:**

Thank you for that and welcome all, and I am sorry you outnumber us. As I mentioned at the outset, perhaps it would be helpful to give some context to this particular review and I can do no better than read from 2 paragraphs of our press notice announcing the review. On 27th December, the Assembly voted to approve in principle Jersey's participation in the T.E.C.A. The vote was subject to a 90-day cooling off period to expire on 31st March, during which time Jersey may terminate its involvement in the T.E.C.A. The proposition adopted by the States Assembly as amended instructs this panel to present a report to the States Assembly prior to the expiry of the 90-day cooling off period for States Members to consider its findings. It is worth noting here that the Assembly requested 2 particular reviews; one by the Brexit Review Panel which will concentrate on T.E.C.A. itself and one by the Environment, Housing and Infrastructure Panel under the chairmanship of the Constable of St. Brelade Mike Jackson which will deal with the fisheries aspect. It is therefore a fairly limited review concerning the trade agreement itself and not for wider issues concerning Brexit. So having effected that introduction and set the scene hopefully, can I begin with a general question, Minister, by asking you to just sum up for us your overall thoughts about Jersey's participation in the T.E.C.A.?

**The Minister for External Relations:**

Thank you, Chair, and thank you for just clarifying the remit of the panel's work. I just want to start by saying I am grateful to the panel for doing this work under time pressure but I appreciate the work that you are doing and I look forward to your report in due course. So the T.E.C.A. is the result of several years of work on behalf of officials in Jersey right across government. They have been working hand in glove with U.K. officials feeding directly into the negotiations which went on, as we are aware, in Brussels but also in London. That work for several years culminated in a document which was agreed in the early hours of Christmas Eve. For our part, there were ups and downs during those negotiations to such an extent that we were not 100 per cent sure whether it would have been in our interest to be a party to this agreement until those negotiations had come to completion in, as I say, the early hours of Christmas Eve. Having the results of those negotiations - and we will come on, no doubt, to the legal work which is being undertaken even as we are in this hearing - it is clear to me, as it was clear to the Brexit ministerial group and the Council of Ministers, that the T.E.C.A. arrangement can be a positive and productive basis for our future relationship with our European neighbours. We sought at the start to, where possible, broadly replicate our previous, as it was then existing, relationship under Protocol 3, which was whereby we had access to the single market for goods. This agreement gives us tariff-free access to the European market for goods and that can only be considered a positive outcome. Of course, there are differences but those differences do not so much arise out of this agreement, although there are some about S.P.S. (sanitary and phytosanitary) checks, for example, but they arise out of the fact that the United Kingdom and therefore Jersey have become third countries to the E.U. Of course, we are used to being a third country for certain parts of our economy, namely financial services where we have always been a third country, and things like data protection where we are treated as a third country. We show ourselves to be either equivalent as in data protection, so introduced domestic legislation which is equivalent in outcome to E.U. legislation, or we show ourselves to be a good co-operative neighbour in relationship to tax matters and things like that. So this agreement preserves a formal relationship with the E.U., which I think is important, and it also, as I say, where possible, largely replicates that previous relationship. Therefore, although there are those who would like to see perhaps a slightly different relationship for fisheries - and we have had those discussions with the Environmental Scrutiny Panel - what it is in this agreement for fisheries replicates access to our waters that was in the Bay of Granville Agreement. Of course, it does not replicate the management and incensing regime. They have been - we might use the word - repatriated rightly to the Jersey Minister for the Environment. Therefore, although there was compromise on the access right up to the 3-mile limit, because that was a compromise which had already been agreed, on balance, this agreement I think we can consider a positive way forward for our future relationship, as I say, with Brussels but also with our near neighbours.

**The Deputy of St. Mary:**

Thank you for that, Minister. We know you were negotiating up until the last minute almost because you had certain concerns. Is it fair to say those concerns were largely connected with fishing rather than the T.E.C.A. agreement per se or are there other concerns which are still out there?

**The Minister for External Relations:**

The residual concerns that we did not know had been resolved to our satisfaction were largely around fishing. There were previous concerns around inclusion in the V.A.T. (value added tax) protocol, which were resolved earlier in that week or just the end of the preceding week, but we did not know until Christmas Eve morning that our concerns around fishing had been addressed. That was around a potential clause in the T.E.C.A. that would have given a continuous 60-day notice period around how we managed our waters which would have allowed the E.U. to give notice to withdraw the goods element of the deal unilaterally giving just 60 days' notice. For us, that was an unacceptable clause and we argued to the U.K. and they argued our position that that was not acceptable to us. We did not know that that argument or those points had been landed successfully, as I say, until the early hours of Christmas Eve morning.

**The Deputy of St. Mary:**

Thank you for that. I see that Constable Jackson, whose responsibility it is for fishing, wishes to contribute at this stage so over to you, Mike.

**Connétable M.K. Jackson of St. Brelade (Vice-Chair):**

Thank you and thank you, Minister. While I do not want to get into the area covered by my panel, I think there is some overlap and there are 2 questions really I would like to put to you. You referred to us being a "good co-operative neighbour" and it seems to me that, on the one hand, we are being a good co-operative neighbour to France but France is not necessarily reciprocating. What would be your comment to that?

**The Minister for External Relations:**

There is no doubt that, over the early weeks of January, there were difficulties which those in our fishing industry who wished to land into France were encountering. Those difficulties of course were mirrored by our fishing boats in Guernsey and of course they were mirrored by fishing boats in the U.K. as well. We had made an amnesty interim proposal on New Year's Eve prior to coming into the force of the T.E.C.A. That did not receive political approval from the E.U. until the week before last week. I think it is fair to say, although it is still very early days, that with the political approval of that amnesty the difficulties encountered at the French border have been slightly alleviated and I think that is a positive thing. It was points that I made to both our French counterparts and to the E.U. Fisheries Commissioner directly that everyone should work in a co-operative, neighbourly

fashion and our fishing boats and fishing industry were encountering unnecessary friction at the border.

**The Connétable of St. Brelade:**

Thank you. If I may just continue on the subject of being co-operative and lead on to the sovereignty issues.

[15:15]

Clearly, we understand the 3-mile boundary border, shall we say, around the Island but the situation at the off-lying reefs is somewhat different, as you very kindly presented to us last week on the difficulties around those areas. Are you able to elaborate further on exactly what the situation is around the off-lying reefs please?

**The Minister for External Relations:**

Yes, so there has been, and I will use the word "confusion", because I hope that is what it is. This agreement is a trade agreement. Some have tried to suggest that it is a sovereignty issue. That is of course not the case. If my memory serves me right - and I rely on others obviously although I am getting older and I do not recall this - back in 1951, that issue of sovereignty of the reefs was resolved and that has not changed. Of course, prior to the resolution of that sovereignty issue, there was agreement - I am not sure whether it was between the state parties of France and the U.K. but certainly between ourselves and France - around access to the waters on those reefs. This agreement does not change that access in that regard. The access is as was previous, the sovereignty remains as it was but there is and there have been some questions asked by our fishing industry around some of those issues. Those issues which are now being raised are not issues which, in my view, directly relate to the T.E.C.A., as we can have confidence in the T.E.C.A. as it currently stands, but issues of baselines follow various international law requirements. If there is a case to be made in regard to those baselines, they should follow that route and should not be hooked on to what is a trade agreement because they do not properly sit within this agreement.

**The Connétable of St. Brelade:**

Thank you, Minister. I think, Minister, Deputy Higgins would like to raise a question presumably on a similar subject.

**Deputy M.R. Higgins of St. Helier:**

Yes. Following on from what the Minister has just said, you mentioned the amnesty and you mentioned an offer of an amnesty from us to them which they did not take up until recently. Can you explain that further because my understanding was that we had put forward an interim licensing

agreement which the E.U., or I should say the French first of all, objected to, and then the E.U. supported them? We had to withdraw our interim agreement and now we have gone to an amnesty. Could you clarify the position on that please?

**The Minister for External Relations:**

Yes, so if you look back - and we will have the paperwork somewhere - on New Year's Eve, the Jersey Government agreed a 4-month amnesty. I spoke to our colleagues in Normandy. The Minister for the Environment and myself wrote to the President of La Manche, which I think was a joint letter, offering the amnesty transition period of 4 months. At the same time of course, the Jersey Department of the Environment were able to look at their records and provide interim, licences for I think was then around 37 boats. So we were proposing to offer interim licences for those that we would see there was a track record and subsequently the French sent a longer list of 348 vessels. The Minister for the Environment was able to produce around 20 extra interim licences. Now it became apparent of course there was public discourse around the view of the French Minister of the Sea around confusion. It was relayed then, as we understand it, by the French to Brussels and there was a misunderstanding, I think it is fair to say, at that point. I wrote to the E.U. Commissioner with responsibility for fishing asking for a meeting to discuss these matters. That meeting took place. The commissioner confirmed to me that he was satisfied with a political amnesty or transition period and we have subsequently exchanged letters between Jersey, the U.K. and the E.U. to confirm that they are satisfied with that 4-month amnesty.

**Deputy M.R. Higgins:**

How many vessels does that now apply to then please?

**The Minister for External Relations:**

That puts in place an amnesty which allows all vessels that were previously licensed under the Bay of Granville Agreement to continue to fish in our waters for the 4-month period. The number of vessels on that list, as I have said, if my memory serves me correctly, was 348 but of course the number of vessels licensed and the number of vessels fishing, there has been a mismatch there for a number of years.

**Deputy M.R. Higgins:**

Do you have any idea then how many vessels will be fishing in Jersey waters and taking obviously fish within these waters?

**The Minister for External Relations:**

Well, we expect that there will be a similar number of vessels which were fishing prior to the new agreement. This amnesty does not increase the number of vessels that could fish in our waters and

you will have heard that the J.F.A. (Jersey Fishermen's Association) say they do not expect a great increase in the number of vessels in our waters. The latest intelligence that I have from Jersey Marine Resources is that there has not been an increase in the number of vessels.

**Deputy M.R. Higgins:**

One final question as I see that Constable Jackson would like to speak again. For example, with allowing the 300-odd vessels in, does that prejudice our argument for having a more restrictive licensing agreement as was originally proposed?

**The Minister for External Relations:**

Absolutely not because we have not issued licences. We have simply provided for a transition amnesty from those vessels that previously had licences issued by the French authorities under the Bay of Granville Agreement. Other than those initial temporary licences which amounted to, I think it was 57, we have not issued any further licences and we have made it clear that in our exchange of letters that this political transitional amnesty is without prejudice to issuing future licences. Future licences will only be issued under the terms of the T.E.C.A.

**Deputy M.R. Higgins:**

Thank you, I am sure we will be coming back later.

**The Deputy of St. Mary:**

Constable Jackson would like a further question presumably on fisheries.

**The Connétable of St. Brelade:**

Just a brief one. I appreciate we have other things to talk about. Given that Jersey fishermen have to pay significant sums for licences to fish in our waters and take fish from our waters, does the Minister for the Environment have the vires to make a charge for either temporary licences or the permanent licences after the 90-day period?

**The Minister for External Relations:**

As I understand it, the Minister for the Environment would have the vires to appropriately condition licences as long as those conditions are non-discriminatory, follow the best available science and data and would include the ability to charge for them on a non-discriminatory basis.

**The Connétable of St. Brelade:**

Thank you, Minister.

**The Deputy of St. Mary:**

Well, aside from fisheries, Minister, what industries do you reckon will be impacted the most either positively or negatively by our inclusion in the T.E.C.A.?

**The Minister for External Relations:**

Well, any business which exports or imports from the European Union, and of course we remind ourselves that 95 per cent of our trade is done with the United Kingdom. That trade was appropriately protected with the customs arrangement that was signed between the United Kingdom, ourselves and the other Crown Dependencies. Trade to and from the European Union in goods can now take place tariff-free as it previously did but there will of course be bureaucratic requirements arising from necessary border checks and becoming a third country. I do think there are opportunities for local businesses. Those opportunities might be to further expand and trade into the U.K. where European businesses now think that they do not want to deal with the border requirements. Equally, I do not think that domestic Jersey businesses should not necessarily just limit their horizons to new opportunities in the U.K. because there will be U.K. businesses which no longer wish to deal with the European Union. I think that the Jersey quality product in whatever area it is that is being produced could and can find new opportunities in the E.U. as well. They will need support and organisations like Jersey Business to stand ready to help Jersey businesses in their export drives into Europe and to deal with the bureaucracy and provide any support that might be required there.

**The Deputy of St. Mary:**

Thank you. Again, aside from fisheries, have you had much feedback from stakeholders voicing their concerns as to the future in ways whether administrative or otherwise?

**The Minister for External Relations:**

I have not personally. Of course J.C.I.S. have been doing a lot of work with businesses around all of the technical things around making sure that items that are being imported or exported are correctly designated and categorised correctly. I am sure from time to time some of those businesses might suggest that the new approach is bureaucratic but I have had nobody directly that I can recall make those complaints to me. As I say, officials might have had about the bureaucracy. I do not know if anybody, either Mark or Luke, want to comment on that but I know they have done a lot of work with businesses in preparing them and even now, when the T.E.C.A. is in place, supporting businesses.

**The Deputy of St. Mary:**

Sorry, I hesitated. I was not sure if any officer was going to come in on that one. Obviously, there will be extra administrative functions and one particular item mentioned to me fairly recently was in

relation to veterinary products and certificates of origin and the like. Is that an area where you envisage more problems?

**The Minister for External Relations:**

Well, I am not sure that I can say I envisage more problems. It is an area which has to be done appropriately. I think there were one or 2 issues raised in the very early days when it was post-Christmas and New Year about whether there was sufficient veterinary cover to issue those certificates.

[15:30]

As far as I am aware, I was informed that those issues have now been addressed and that there is sufficient cover. I would say that if businesses are still encountering issues there, then do get in touch and we will make sure that any issues are resolved and ensure that there is increased resource available.

**The Deputy of St. Mary:**

Thank you for that and, again Constable Jackson please.

**The Connétable of St. Brelade:**

Thank you, Chair. Just picking up on that one. My understanding from a meeting we had with the representative of the agricultural industry last week was that this was an ongoing problem. In fact, reference was made to issues in the U.K. and I just wonder, Minister, if you are abreast of the current state of that and in fact will confirm that you will follow-up the concerns that the agricultural industry do have.

**The Minister for External Relations:**

Thank you, Constable. As I said, I was aware of some of the cover issues and the issuing of those certificates in the early days. The Department for the Environment are not called that anymore, are they? They are probably called I.H.E. (Infrastructure, Housing and Environment) now. They fully seized on that issue. The Minister for the Environment understands the need to ensure there is appropriate resource there. Other ministerial colleagues stand ready to approve that resource when the business case is provided. But if businesses are still, as you indicate, Constable, encountering difficulties during the course of the last week with the issuing of certificates because of resource, I will certainly take that away from this hearing and ensure that it is addressed.

**The Connétable of St. Brelade:**

Thank you. But really I think the point is that the timeline is quite crucial, as you would appreciate, if certification is not forthcoming; there is a risk of losing a consignment. The other point and I will just finish on this, Chair, there is a question over the States vet not being on station in the Island. Where are we with regard to a States vet? Do we have an appointment as such, are you aware?

**The Minister for External Relations:**

As you know, Constable, that is a matter which is not directly within the remit of the Minister for External Relations, so I cannot confirm whether a States vet has been appointed. I had heard the same concerns that you are alluding to about the States vet not being currently resident on Island. But I was and have been informed that there are others who are covering, which comes back to the issuing of those certificates. I accept that there have been some delays but, equally, as far as I am aware, all consignments have, even where there has been a slight delay, been certified and exported.

**The Deputy of St. Mary:**

I think Deputy Ward wants to come in as well, please.

**Deputy R.J. Ward of St. Helier:**

Yes, just a quick question. It is just around the idea of exporting and the paperwork that goes with it. I understand in terms of our relationship with Europe is via the U.K. but looking further afield from Europe, which you are encouraging businesses to look into, are there any issues with exports that happen now further afield, having to use, if you like, U.K. documentation, as opposed to Jersey documentation? Are there any issues with that sort of translation of documentation going forward?

**The Minister for External Relations:**

In my earlier answer I was referring to businesses exporting into the E.U. and the support that Jersey business will give to them and the extra documentation, which is there. We do not export into the E.U., we do not have to go through the U.K. for that. Jersey businesses can export directly but they just have the bureaucratic barriers to now overcome. There has, historically, always been a conundrum about whether Jersey businesses piggyback off the provisions in the United Kingdom and this is something that Jersey Dairy over the years have perhaps struggled with or they have sought to get certification from the foreign country directly and do their paperwork directly. There was, potentially, historically an advantage to using the U.K. route when the U.K. route was absolutely aligned with the E.U. because it was a more globally recognised standard. We, potentially, could argue - and it is still early days - that that historic advantage may no longer be there because the U.K. may not over time remain aligned with the E.U. Therefore, there might be benefit in Jersey businesses dealing directly with foreign States. But we should not underestimate for export into certain countries of certain animal products or dairy products, it is extremely difficult to get it certified.

Again, as Jersey Dairy has found, getting milk products into China. Having said that, the U.K. is doing all of its rest-of-the-world trade negotiations and there is opportunity for us to be part of those negotiations. We have had conversations with Greg Hands, the Minister of State in the Department for International Trade in the U.K., to work through where it might be advantageous for us to be included in those rest-of-the-world trade negotiations. Some of those are simple continuity agreements, so they just replicate what the U.K. would have had when it was part of the E.U., for example, the Japan trade agreement and some of them are new agreements where it might be advantageous for Jersey to be a party to them.

**Deputy R.J. Ward:**

Sorry, do you think that that negotiation would be direct negotiation or we would be represented by the U.K., as in the T.E.C.A. negotiations?

**The Minister for External Relations:**

No. Agreements which are trade agreements, like the T.E.C.A. but with other countries, will be and are undertaken by the United Kingdom Government being the sovereign state. But obviously non-trade agreements, although you could call it bilateral investment treaty trade agreement, tax agreements, those type of agreements we are seeking more and more entrustment from the U.K. to negotiate them ourselves. There are some agreements there that we are negotiating directly.

**The Deputy of St. Mary:**

Okay, thank you for that. Moving on slightly, you did mention, Minister, early on about you had hoped to perhaps replicate the Protocol 3 provisions and any new arrangements. Indeed we have had stakeholders saying, why did we not? Yes, they are succinctly to say, why not and it is surely not within your gift, was it?

**The Minister for External Relations:**

I would say that we did, as far as it is absolutely possible. It was not possible in regard to whether we were going to become a third country or not. Any change and challenge around bureaucracy is quite simply because the U.K. and Jersey for goods have become a third country. It would not be possible for us to be treated as a member of the single market and continue to have the customs arrangement with the United Kingdom and be in the E.U. single market. As we said, 95 per cent of our trade is with the U.K., so it would have seemed a slightly strange negotiating position to say that we did not want to be in that customs arrangement with the U.K. for 95 per cent of our trade but to be in a single market with the E.U. for the 5 per cent of our trade. All of the barriers that we now face arise from that becoming a third country for goods.

**The Deputy of St. Mary:**

I think perhaps the complaint, as it were, by the stakeholder was in relation to right of abode in the E.U. and freedom of movement, which of course we are part of the U.K. for that and subject to the same rules.

**The Minister for External Relations:**

Yes. Of course there is a little bit of confusion about the freedom of movement issue that used to be in place. We were not directly in for freedom of movement of people. It was a secondary effect of us being in the Common Travel Area but, equally, we could not discriminate. These were inevitabilities of the U.K. leaving the European Union that were going to change, unless the U.K. negotiated a deal whereby they remained in the single market, which was something that Theresa May's Government considered. But a lot of the conversation about leaving the European Union was to be able to constrain the free movement of people. Therefore, I think it was inevitable, hence the decision of the referendum, that there would be some constraint on the free movement of people. Of course, if we go back even earlier and look at the deal that the Cameron Government got in its initial renegotiation of the U.K.'s relationship with the E.U., there was some constraint on free movement of people but not direct. The constraint that was renegotiated was a constraint along benefits for E.U. citizens when moving into the United Kingdom. Of course, that renegotiation was heavily criticised by those who were in favour of the U.K. leaving the E.U. and it led to the referendum result.

**The Deputy of St. Mary:**

Thank you for all that. Unless any other panel member wants to contribute at this stage, I will move on to the question of specialised committees. T.E.C.A. is drafted as a framework which applies to Jersey at a high-principle level and the technical detail of the provisions will be established by various specialised committees. The basic questions relate to the input and Jersey's relationship as regards those committees. To the extent, what consultation might there be between the U.K. and us regarding those committees?

**The Minister for External Relations:**

Yes, thank you, Chair, and it is a very good question. The detail of how those committees are going to function and who will quite sit where is - it will not be a surprise to you - still very much in its infancy. We are maintaining our relationship and our communications with the U.K. Government. We think there is a strong case for representation by the Crown Dependencies on some of the sub-committees where it is relevant to the Crown Dependencies. But there is a lot of detail still to be worked out because, as you rightly point out, the T.E.C.A. is in some areas written in broad principles and they are still being worked through. Of course, one example of the detail, which is still being worked through, prior to the sub-committees being set up and that is important for us, is fishermen wishing to be licensed under the T.E.C.A. by Jersey have to show that they have done 10 days'

effort in our waters over one of the preceding 3 years. Not all boats have got vessel management systems on them and, therefore, other evidence will need to be provided. That evidence is, of course, being worked out and will need to be agreed by the U.K. and the E.U.

[15:45]

There is a lot of that detailed work which is ongoing and I cannot give you much more of an answer than that at this stage.

**The Deputy of St. Mary:**

Okay. But to what extent will Jersey generally be involved in some of these committees?

**The Minister for External Relations:**

We will be making our case to be involved in relevant sub-committees, as I say, where they are relevant to us and we are in discussions with the U.K. around that involvement and what it looks like and what form it will take. Officials have been doing that and I have a ministerial-level meeting later this week and those are the issues that I will be raising and the case that I will be making.

**The Deputy of St. Mary:**

Okay, thank you. Before I pass you on to Mike Higgins, who wants a question, will you be automatically kept informed of sub-committees where Jersey might have an interest or is it supposed to be a question of your having to be on the ball and chase the U.K. side?

**The Minister for External Relations:**

No, we will be arguing for a structure that means that we will be informed when issues arise that would have an effect upon our participation in T.E.C.A. or any suggestions coming from the E.U. side that have an impact upon us. Let us be clear, if we take the Swiss arrangement with the E.U., I think we can expect for evolving discussions and conversations to take place at the Partnership Council; that is the high-level council, which will need to be worked through in detail at the sub-committees. Us putting in place a structure to be able to do that, the U.K. putting in place a structure which will keep us informed in good time is going to be very important to the ongoing success of this arrangement.

**The Deputy of St. Mary:**

Thank you. My final question in this area: do those arrangements extend to Scrutiny being involved at all?

**The Minister for External Relations:**

That is not something I have given very much thought to, whether Scrutiny wishes to have a standing panel or they would just wish to subsume this work into the ongoing work of the Economic Scrutiny Panel. Perhaps it is a matter for us to take outside of this meeting but of course it is, ultimately, a matter for Scrutiny to decide upon.

**The Deputy of St. Mary:**

Yes, thanks for that. As you say, perhaps we can take it further outside the meeting and work out which panel might be involved. Okay, can I refer Mike Higgins to the questions?

**Deputy M.R. Higgins:**

Okay, yes. Just following through on what the Minister was saying earlier about the sub-panels, we know that finance was left out of the settlement with the E.U. when we left but talks were starting, I think, in January, can you give us any update? Have those talks commenced? Can you tell us of any of the issues that are being discussed because obviously finance is so important to the Island and so we have quite a direct interest in knowing what is going on here?

**The Minister for External Relations:**

We obviously agreed with the U.K. Government much earlier in this process that we were a third country for financial services under the previous settlement and, therefore, on balance we felt that it was appropriate for us to remain as third countries in the new settlement. Of course, the United Kingdom initially when Theresa May started the negotiations, they were looking for a broader and deeper relationship, which might have included financial services. It quickly became apparent that it was going to be difficult for the United Kingdom to negotiate a deal for financial services, either based on passporting, which was their initial idea and then based on equivalence. Therefore, it was really left and the current U.K. Government took a similar view that financial services would take longer to reach agreement on and would be a more detailed agreement. My understanding is that those talks have commenced but we are not party to those talks because we are a third country for financial services. There may in future down the line be an opportunity for us and the other Crown Dependencies to reconsider that decision but I think it is going to be quite challenging for the U.K. to reach an agreement that does not include some sort of dynamic alignment into the future. Therefore, if we were to be brought into that remit or wish to be brought into that remit, should I say, dynamic alignment would be quite challenging I think.

**The Deputy of St. Mary:**

Okay, thanks, Mike. We do ...

**The Minister for External Relations:**

I think Mike has got another question, he was muted. Mike, you are muted.

**Deputy M.R. Higgins:**

Thank you, I thought I had cleared it. No, just the question is that by dynamic alignment, do you mean accepting European rules in terms of the U.K. finance industry adopting their rules, rather than having separate rules? Is that what you are talking about?

**The Minister for External Relations:**

Yes, that is what dynamic alignment is generally referred to as, yes.

**Deputy M.R. Higgins:**

Okay, the usual jargon. Can I just ask though, if the U.K. is remaining outside, as we are outside as third-party countries, does that now mean that the U.K., the City of London, is now in competition with Jersey?

**The Minister for External Relations:**

Let us be clear. As you know, Mike, there is always an element of competition between any finance centre but, equally, when the City is strong we generally are successful as well. The important thing always in my mind is to recognise that we are more successful together, as you will know. We might have a piece of business introduced into Jersey by a U.K. introducer, that business could use a Jersey structure, could have Jersey lawyers and U.K. lawyers, it could be listed on a U.K. stock exchange, it could have a U.K. investment adviser but it could have Jersey directors. I do not necessarily become overly concerned, as some do, about the competition with the city. I think we should much more be looking and managing competition from other centres like Singapore, like Hong Kong, and making sure that we are relevant. We have got relevant products, we meet the best international standards; that is not necessarily regional standards, although more recently we have been following regional standards as well. As you said right at the start, the U.K. is though having conversations with the E.U. to see if there is a relationship around financial services that they can forge with the E.U.

**Deputy M.R. Higgins:**

Thank you for the answer, we will watch with great interest.

**The Deputy of St. Mary:**

Okay. I think just to mention that taxes are on our agenda later but hopefully we will go over that fairly quickly, in view of your response, Minister. On other matters, the constitutional relationship between Jersey and the U.K. in this matter is something that perhaps you have touched on before in your capacity as briefing the Economic and International Affairs Panel. In the context of any

dispute resolution between Jersey and if we do not like what the U.K. is doing on our behalf, is there any sort of procedure whereby we can challenge it or is it just by negotiation between you?

**The Minister for External Relations:**

Do you mean, Chair, sorry, in regard to if the U.K. disagrees with how we are fulfilling our obligations under the T.E.C.A.?

**The Deputy of St. Mary:**

I was more concerned with the U.K. taking a particular course in relation to these committees, which Jersey might not approve of. Do we have any recourse or opportunity to feed in or object?

**The Minister for External Relations:**

If something was happening in the committees or obligations were being signed up to in the committees, which were rightly a decision for Jersey Ministers, Government and Parliament, then of course we would object and we would relay our understanding of the situation directly to them. But we do, equally, have access to Brussels as well, we have a very active office in Brussels and, as we have seen with the fishing issue, we were able to have conversations with the United Kingdom Minister for the Environment but also directly with the E.U. relevant commissioner as well. I am confident that those channels remain open and we will be able to resolve any difficulties should they arise. But when it comes to our obligations under the T.E.C.A., we take our international obligations exceptionally seriously and we have no intention of doing anything other than appropriately meeting our obligations in the T.E.C.A.

**The Deputy of St. Mary:**

I will move on. We had a briefing from the law officers, as you are aware, and they did make reference to certain provisions which are not directly applicable to Jersey but relevant in some way and, under that heading, reference was made to data protection; do you have any comment on that?

**The Minister for External Relations:**

Chair, as you know, we have amended the Jersey legislation to extend the window for transfer of data up to the U.K. It was in for anytime now - I think I have got an exact date here somewhere - to expire at the end of the transition period. But because data protection is not covered in the T.E.C.A. and an adequacy certificate has not yet been issued to the U.K., we have made it clear in Jersey legislation that that provision has been extended. I should, of course, also say, as I will have said previously ... I am just looking, remind myself of the date it has been extended to; I know it has been extended sufficiently, I think, until the end of this year or into next year. Our adequacy certificate was issued prior to the introduction of the G.D.P.R. (General Data Protection Regulation) legislation, so it was issued under the previous data protection legislation. There is an ongoing review around

the continuation of that adequacy certificate that the E.U. is engaged in and we are engaged in answering their questions in that regard.

[16:00]

We cannot foresee any issues at this point but that is a normal process for a continuation of an issuance of an adequacy certificate.

**The Deputy of St. Mary:**

Very well, thank you for that; that clears it to a certain extent. Deputy Higgins raised a matter on financial services, which in a way touched on tax matters. If only to give you the opportunity to restate where we are in this, can I make a point that last month it was reported in a media article that the E.U. Parliament voted overwhelmingly in favour to automatically lapse any jurisdiction with zero per cent tax policies and then to explain the difference between the E.U. Parliament and the European Council as to who has the authority in that matter?

**The Minister for External Relations:**

Yes, thank you, Chair. As you indicate there, the decision-makers on the E.U. list of co-operative or non-co-operative jurisdictions is made by the council. The council is made up of the heads of Government of the member states. In effect, the Secretariat is the Commission, so we engaged directly with the previous Commissioner for tax matters, that was Commissioner Moscovici. There was previously in the Code of Conduct Group - the Code of Conduct Group is the officials groups that supports the E.C.O.F.I.N. (Economic and Financial Affairs Council); E.C.O.F.I.N. is the Finance Ministers of the member states' meeting. There were conversations about whether zero in its own right should be a reason to list a jurisdiction. That led to the categorisation of what they in Europe refer to as 2.2 jurisdictions and it was those jurisdictions, and we worked together with the European Union on our substance legislation to address the concerns that they had at that time. The Parliament is not the decision-maker on the listing process. It is well-known what the parliamentary view is; that has not changed over all of the years that I have been involved in Brussels and its bureaucracy. But E.C.O.F.I.N., so those Finance Ministers and the Secretariat under the Code of Conduct Group, do continue to review their listing process. I have no doubt that they will consider refinements to that process but we have a positive relationship with them and we will continue to engage directly with those decision-makers.

**The Deputy of St. Mary:**

Thank you for that and for clarifying and restating. On a similar theme, Jersey has previously been in dialogue with the E.U. and in 2008 it was briefly blacklisted. Can I ask in relation to Jersey's partition in T.E.C.A., do you see that gives us a measure of more support than it would do if we were

outside T.E.C.A., in that if we were outside that might be seen as sort of cutting umbilical cord to a certain extent?

**The Minister for External Relations:**

I think it sends a very important message that we want to have a formal relationship with the E.U. across all of our community and economy and that we want to engage co-operatively and as a good neighbour. I think, Chair, the blacklisting process that you were referring to was the French blacklisting process and that really led from some concerns that the French had about how we were administratively dealing with requests under the Tax Information Exchange Agreement. We, again, in that instance were able to address those concerns. We were able to amend our legislation in response to those concerns and, therefore, we were removed from that list.

**The Deputy of St. Mary:**

Okay, thank you for that again, and I was seeking clarification and restatement. Moving on again, back to the question of Jersey's participation in T.E.C.A. It is, I think, possible for the E.U. to unilaterally terminate Jersey's participation in the agreement. Can you think of any reasons why that might be or the obvious one perhaps is in regard to fishing, is it?

**The Minister for External Relations:**

I cannot think of any reason why they would do so, Chair. Of course some Ministers from member states have suggested that they might like to because they would like a particularly different deal on matters of fishing. But this is an agreement that was reached after compromise, after 3 years or so of negotiation, and I cannot think of any good reason why the E.U. would wish to terminate this agreement only, so far, 30-odd days into the agreement. We, of course, are yet to receive the full legal review of the legal text and I understand, Chair, that Scrutiny and the Executive will be receiving the same review work. But my understanding is that there is nothing to date in that work that would warrant us seeking to terminate the agreement either.

**The Deputy of St. Mary:**

Right, okay. I was more concerned about the E.U., perhaps influenced by one of its members, might choose themselves to terminate it, maybe with a view to gaining advantage in certain areas where we are in dispute with the E.U. but perhaps I am verging on the hypothetical there; I hope so.

**The Minister for External Relations:**

I have been very clear, Chair, to the E.U., to the U.K. and to our regional neighbours that it would be inappropriate for an individual member state to seek to request the E.U. to terminate a deal or even to seek to renegotiate elements of it. The deal was a compromise; we in Jersey had to compromise access to our waters based on the Bay of Granville agreement. I think there would be

very strong representation and very strong arguments to maintain the agreement as it is and not seek to reopen it.

**The Deputy of St. Mary:**

Again, I am pleased to hear that but, again, I just stretch it one more length, as it were, and, again, hypothetically, if the E.U. did choose to take certain action, I take it Jersey would have to ... its right of ordinance, it is through the U.K. and it would not be able to argue on its own merits.

**The Minister for External Relations:**

It would work through the Partnership Council. Of course, we have got to remind ourselves that the terms of the 90-day confirmatory clause is that should either party wish to terminate it, then the Partnership Council would terminate it. My strong representation to the U.K., to the E.U., and to our regional neighbours, is that I can see no reason why it should be terminated. It would be an extremely serious matter should an individual member state seek to terminate it against our desires and it would bode ill, I think, for many years to come.

**The Deputy of St. Mary:**

Okay, thank you for that and there are other hypothetical questions going on for me on that but I do not propose to raise them because we are not looking in that direction, okay. The final question on the T.E.C.A. participation, in a sense, how do you see this affecting External Relations policy-making either with the U.K. or anywhere else?

**The Minister for External Relations:**

As it gives us a strong basis or a basis for a future relationship with the E.U. and with our colleagues in Normandy and Brittany, it also provides a strong relationship for our ongoing relationship with the United Kingdom. What the decision of the U.K. to leave the European Union does, and we have been doing this for the last couple of years anyway in light of the decision, means that we are going to and we are spending more time in building our relationships in the capitals of Europe. We have a new E.U. directorate within the Ministry for External Relations; currently it only sits at 2 people. We will be looking at the forthcoming business plan for the Brussels office and perhaps we will need to increase the resource there with our Guernsey colleagues as well. It means that the people that we have had to recruit to help deliver Brexit, we will need to continue to employ them but their work will be focused on strengthening and building relationships across Europe, rather than focusing on the withdrawal agreement and the T.E.C.A. agreement.

**The Deputy of St. Mary:**

Okay. You mentioned the Brussels office, do you think that because Jersey is party to this agreement that increases our physical say and presence, not necessarily in negotiations but generally on the international stage?

**The Minister for External Relations:**

What I think it does and officials tell me, that when they, on my behalf, reach out for a meeting or have to complete a questionnaire or provide some documentation, one of the first questions is: what is your relationship with Europe? This provides a good solid answer to that question. We have a formal relationship now through the T.E.C.A. with Europe, so it builds on the previous relationship, rather than had we decided not to take part in the T.E.C.A. I think our previous relationship would have been diminished somewhat.

**The Deputy of St. Mary:**

Yes, I am inclined to agree. Can I invite the Constable of St. Brelade to pitch in now, please?

**The Connétable of St. Brelade:**

Thank you, Chair. Just picking up from the comment regarding the Brussels office, of which I am fully aware and know that this is run by very competent and experienced officers, has there been any thought in the light of the trials and tribulations, I might describe as going on, of there being a stronger presence in Paris?

**The Minister for External Relations:**

Thank you, Constable. Yes, that is already happening. We have an official, which is currently based in Amsterdam, I think, is the residence, but prior to COVID he was spending a number of days each week at a desk in the British Embassy in Paris. It is fair to say that some of those relationships, which have been formed, have helped us with access in Paris and helped resolve some of the issues that we have had with our French colleagues over the start of the implementation of this agreement. COVID has slightly made that more difficult but once travel restrictions are lifted post-COVID, then that will continue and we have the aim to do the same thing in Berlin as well.

**The Deputy of St. Mary:**

I have got a couple of questions not really directly relevant to the T.E.C.A. agreement, it relates to driving in the E.U. Can someone try and update, please, on the vehicle testing centre and the facility ready to inspect Jersey residents' vehicles to ensure that they are ready to drive in the U.K., which obviously does affect trade as well?

**The Minister for External Relations:**

Yes, thank you, Chair. As you know, the Vienna Convention on Road Traffic was extended to Jersey in 2018 at the same time that it was extended to Guernsey. D.V.S. have been inspecting mopeds, light bikes and minibuses since April 2019 and they have been inspecting commercial vehicles on an annual basis since May 2018. We have amended the domestic legislation. The domestic legislation says that we will have in place provision for domestic vehicles no later than 2024. It was initially intended that that would have happened by 2021 but because of various reasons, as you can imagine COVID, trying to get the right approach, that has now been extended to 2024; that still meets the terms of the Vienna Convention.

[16:15]

Islanders do not need to be concerned when they are taking their private car into Europe but of course they will currently need to have international driving licences because the issue of reciprocal nature or recognition of the Jersey driving licences is still one that is in negotiation. For belt and braces, Islanders should still get that international driving permit.

**The Deputy of St. Mary:**

Thanks for that clarification. Forgive my ignorance on this, the international driving requirement, is that relevant to the T.E.C.A.? We have to have it now but if, for instance ...

**The Minister for External Relations:**

No, it is not relevant to the T.E.C.A. per se but the U.K., I think they signed a side agreement that recognised United Kingdom driving licences. We were not included in that agreement and now we are seeking to see if it would be sensible for us to have that extended and be included but those negotiations are ongoing.

**The Deputy of St. Mary:**

Thank you for that. Again, you will be pleased to know we are getting towards the completion of our question area. The impact on local business, we are getting submissions saying how much more difficult it is going to be with more complex paperwork and costs and delays, et cetera. I think you said earlier on, Minister, that you have not seen evidence of that yourself; is that the case?

**The Minister for External Relations:**

No, I said that I had not been contacted directly about that but I recognised that there would be and there is more bureaucracy, particularly around, as we talked about, the work that J.C.I.S. have been doing but they have been supporting businesses where they can. But they, of course, at the same time are the ones who have to review the work that businesses provide to make sure it is compliant. Then, of course, you have got the work that Jersey Business are undertaking and the Chamber of

Commerce as well of course supporting their members with this additional bureaucracy. I absolutely accept that it is more bureaucratic and that results from us now being a third country for goods. The Government and the various arms of Government stand ready to support those businesses where they can. If businesses are encountering difficulties, as you have suggested, Chair, I am happy for them to get in touch with me. But, equally, getting in touch with Jersey Business and seeking their support would probably be a bit more practical, of practical benefit to them.

**The Deputy of St. Mary:**

Yes. I was not expecting you to know all the answers. Before I hand you back to the Constable of St. Brelade, one further question on this. There was a campaign, and probably is a campaign, to hold beyond-Brexit sessions; is that ongoing or has the demand ceased or is it likely to increase, I would have thought?

**The Minister for External Relations:**

It is not something that we directly in External Relations have thought about co-ordinating. But certainly when you have completed your report - that is one of your recommendations - is something that I think I could respond to positively.

**The Deputy of St. Mary:**

Okay, thank you. Now, again, I will hand you over to the Constable of St. Brelade.

**The Connétable of St. Brelade:**

Thank you, Chair. Minister, have you had any discussions with Jersey Post regarding the added burden they are having to shoulder in the light of sending consignments to E.U. countries?

**The Minister for External Relations:**

I have not directly, Constable, but I am just going to check whether either David Walwyn or Luke or Mark want to comment from the J.C.I.S. point of view, please.

**Policy Officer, Community and Constitutional Affairs:**

I think the post office would be Econ, Minister and Chair.

**The Minister for External Relations:**

Yes, I appreciate that, David, but I just wanted to check whether you had had any direct communication about it or whether they were encountering issues at the border, which had come back to J.C.I.S. But I am reading from your intervention, David, that the answer to that question is no and, therefore, it is something that we will take up with our colleagues in Economic Development.

**The Connétable of St. Brelade:**

If I may comment, Minister, the cascade of events, I suppose, starts from those who wish to send consignments to E.U. countries now have to do a significantly more amount of paperwork; they can do it at home. But the consequence at the counters that the post office manage is not insignificant and will be, I would suggest, considerably more resource hungry. There will inevitably be a consequence and it would be, I think, useful to understand what those will be.

**The Minister for External Relations:**

Okay. That is the issue, of course declarations do now need to be signed or provided for posting items into the E.U. in a way that was not universally necessary previously; that is absolutely the case. Some of the details there and the coding that will be required for businesses is complicated and has to be done appropriately. Of course, that is some of the work that J.C.I.S. have been doing with individual businesses. I am not sure if Mark and Luke are still on the call or whether Mark ...

**Director of Law Enforcement for Customs and Immigration:**

Yes.

**The Minister for External Relations:**

Would you like to just add to that, please?

**Director of Law Enforcement for Customs and Immigration:**

Thank you, Minister. Yes, Chair. We have not encountered any difficulties so far that Jersey Post have highlighted at export and we are, just to confirm, talking about export procedures here, as opposed to the import. I think perhaps one of the difficulties is that depending on where the item is to be sent into the E.U. there may be different requirements. But certainly we can reach out to Jersey Post and ask if there are any issues that we can help with, but we have not been approached as yet in relation to the export of postal packets.

**The Connétable of St. Brelade:**

If I may come in once again on that. My understanding is really more at a community level. It is becoming quite challenging for someone who perhaps is not computer literate, cannot do these things at home and has to go into the local post office and it does involve a significant amount of work and resource to be able to respond to that. While it is not a busy time at the moment, come Christmas time it certainly will be and issues may arise. I think we just need to be prepared for that as time goes on.

**The Minister for External Relations:**

Thank you, Constable. That is helpful because perhaps we can work with the post office to help with the communication to Islanders about the issues that they will face when they are posting packages into various European states. That really ties in, I think, probably with what the chair was asking earlier about whether we had any intentions of doing further information and briefing sessions post-Brexit.

**The Deputy of St. Mary:**

Thank you. I was going to ask a question but Deputy Higgins has jumped in, so I will allow him to go first.

**Deputy M.R. Higgins:**

It is just a very brief one. If we are going to be talking about producing papers for people about dealing with the E.U., can I ask that the similar papers be done with the U.K.? Because Jersey citizens are paying V.A.T. on goods going into the U.K., which they should not be. I would ask you to take up not only the European issue but also the U.K. issue as well, please.

**The Minister for External Relations:**

Sorry, Deputy, could I just ask you to clarify, the paying of V.A.T.? I am just wondering if you meant to say they are paying V.A.T. on goods from the U.K. rather than into.

**Deputy M.R. Higgins:**

No. Jersey residents are being asked by Jersey Post for any good that they send into the U.K. whether they wish to pay V.A.T. Most people in Jersey do not understand the rules and regulations of the U.K. regarding V.A.T. and they are paying it simply to stop their parcels being delayed. I can give you examples of that. I have posted written documents to the U.K. and they say: "Are you going to pay V.A.T. on it?" I say: "No, because it is not subject to V.A.T. in the U.K." But there are a lot of items in a lot of areas, including people who have already paid V.A.T. when they imported ... let us say, they bought them in the U.K. when they were in the U.K., came to Jersey, are now reselling them but they are paying V.A.T. which they would not do if they were in the U.K. There is a mad series of rules which need further ...

**The Minister for External Relations:**

I could not agree with you more if that is happening, Deputy, because the products arising from Jersey should not be subject to U.K. V.A.T. I will take off my External Relations hat, speak to my colleague, the Minister for Treasury and Resources, who is the shareholder for Jersey Post and see what we can do about it, so thank you for raising that.

**Deputy M.R. Higgins:**

Thank you. I need all the help I can get with that one; I have been trying. Thank you.

**The Deputy of St. Mary:**

So, 2 raised minor points, in a way, and the Minister will simply say not his area. We have had a submission from a large business operating here, which estimates that costs will increase on a non-tariff basis of 2 per cent to 5 per cent and that that needs to be taken into account in the cost-of-living increases. But that is something for my other panel, I think, as is a further one about any challenges facing business supply lines will be mitigated as technical details come forward. But, again, that is part and parcel of any assistance given to businesses generally if they need it.

**The Minister for External Relations:**

Yes. The first question about the rough-and-ready calculation, whichever business it was that contacted you, Chair, of course if we were not in the T.E.C.A. that would increase even more because it would have tariff on top of it. I think it is fair to say that goodwill at the border would have been withdrawn as well. I know for some it is difficult to see but there is much goodwill at the border right now. But I think there could be a lot less goodwill if we were not in the T.E.C.A. and that adds time and, therefore, cost. But I did see that Nick Vaughan was on the call earlier, the States economist, and he did do some work about the overall inflationary impact of Brexit and being a third country and of no deal. I have got to say from memory, although I will ask Nick to come in if he is still there, that range of between 2 per cent and 5 per cent does not sound unreasonable for the cost of the bureaucracy. But, Nick, do you want to come in if you are still there?

**Chief Economic Adviser:**

Thank you, Minister, I am still here. In assessing Brexit and no-deal scenarios we prepared the scenario for Jersey. As the Minister has mentioned earlier, 95 per cent of our goods are imported from the U.K. We were able to build on a very thorough analysis by the Bank of England, which estimated the impact on U.K. inflation of a disorderly exit, which I think we have avoided. It is not without difficult challenges but it is much less disorderly than it might have been. In that scenario there would have been a very sharp depreciation of sterling and that would have raised the price of imported goods into the U.K. and hence the price of goods that are produced and sold and then imported to Jersey. That impact of inflation of 2 to 5 percentage points would have been a disorderly outcome. It did not specifically detail the costs of bureaucracy and it is a much higher level. Things can always be worse but it was a scenario for a very challenging exit. I would not have detailed information on the costs of, say, specific bureaucracy and barriers to trade in considering what we now call the T.E.C.A. We did do quite a lot of analysis around a sector with important exports to the E.U., namely fishing and aquaculture, and in that context we considered both tariffs and non-tariff barriers.

[16:30]

Non-tariff barriers by their nature are rather more difficult to sort of consider and make judgments about. To sum up, we have not got good estimates for the costs of additional bureaucracy in terms of prices. We did do a lot of analysis around the costs of a no deal or a disorderly exit. I will stop there; I hope that was helpful.

**The Deputy of St. Mary:**

Thank you for all that and I do recall that analysis before. I was really just flagging it for future reference that it might contribute to the cost of living generally. I do not know what the other panel members say, I have just one general point, which you have touched on before, Minister, which is that the Law Officers' Department, I am sure, are working overtime to compare notes and make sure the final agreement accords with what was negotiated. I think you have said that we will get some advice and obviously we have not seen that. It is possible we will have further comments to make on that but I simply just throw that out as a caveat and, again, as something to flag.

**The Minister for External Relations:**

Yes, thank you, Chair. I am happy to either, if questions arise, deal with those in person and have another hearing perhaps for a little bit shorter than this one or we can endeavour to answer them in writing.

**The Deputy of St. Mary:**

I suspect that the time limit, which is you have to give 30 days' notice if you are going to rescind the agreement, we have already done and that takes us to sort of late February where time is getting short and we are conscious of that, as I am sure you are. I rather suspect any questions will probably come in the form of a letter but thank you, nevertheless, for the offer.

**The Minister for External Relations:**

Okay, yes, thank you.

**The Deputy of St. Mary:**

Before we sign off, can I make sure or ask if any other panel members have any further questions which we have not covered?

**The Connétable of St. Brelade:**

Not at this stage from me, thank you.

**Deputy R.J. Ward:**

Not from me, thank you.

**Deputy M.R. Higgins:**

Not from me, thank you, either.

**The Deputy of St. Mary:**

Okay. Thank you, Minister, and all your officers for their contribution and we will crack on and, yes, thank you for all your time this afternoon.

**The Minister for External Relations:**

Thank you very much indeed, Chair, and thank you, colleagues. Thank you.

[16:32]