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# STATES OF JERSEY



## **TRANSFERS BETWEEN HEADS OF EXPENDITURE UNDER THE PUBLIC FINANCES (JERSEY) LAW 2019: ARTICLE 18 – 14TH FEBRUARY 2025**

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**Presented to the States on 14th February 2025  
by the Minister for Treasury and Resources**

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**STATES GREFFE**

## REPORT

**Decision(s):** Under Article 18(4) of the [Public Finances \(Jersey\) Law 2019](#) (the Law), the Minister for Treasury and Resources hereby notifies the States, and having consulted with any relevant Minister under Article 18(5) of the Law; that she has agreed to the following –

### Transfers between Heads of Expenditure under Article 18 of the Law

MD-TR-Ref.	Department		£	Funding of –
	From –	To –		
2025 - 103	Technology and Digital Services (DS) head of expenditure	Cabinet Office (Office of the Chief Executive) head of expenditure	a recurring transfer of £359,000 a number of FTE's	budget for the Privacy data function

After the expiry of 4 weeks following the presentation to the States of these transfers, the Minister hereby authorises the Treasurer of the States to action the transfers outlined in the table above.

### Background

Each Minister is a separate body under the Freedom of Information (Jersey) Law 2011 and Data Protection (Jersey) Law 2018, responsible for their compliance with legislation. This responsibility is discharged by their department, usually undertaken by the same officials, recognising the similarity in processes under the Laws, and the close relationship between legislation designed to protect the “right to privacy” (Data Protection) and the “right to know” (Freedom of Information). Indeed, the right to privacy is enshrined in the Freedom of Information Law.

The Jersey Office of the Information Commissioner also regulates both Laws for the same reason. This is the same approach undertaken in the United Kingdom, where the Information Commissioner’s Office regulates both Laws.

Notwithstanding the above arrangements, separate central processing and advisory function have historically existed for each Law in the shape of a central FOI team and a central privacy team. Each team has separately receipted requests from the public under both Laws, provided requests to the department who hold information, and released information on behalf of the Minister and department. The central functions also provide professional advice to Ministers and their Departments. This budget transfer brings together the Central FOI and privacy functions.

This will aid operational efficiency and processing speed, and the sharing and application of expertise. In terms of operational efficiency and processing speed, this includes the ability to use a common system to receipt, distribute and record requests under both Laws, and the ability to better manage peaks and troughs of workload across the two pieces of legislation. The intention is also that some of the efficiencies from

bringing together the central teams will be reinvested in enhancing and improving policy.

This transfer in no way changes the fundamental responsibilities to comply with legislation in support of both the “right to privacy” and the “right to know” held by Ministers and their Departments under the Freedom of Information (Jersey) Law 2011 and Data Protection (Jersey) Law 2018. It simply combines existing teams supporting each Law.

#### Recommendation

The Minister is recommended to approve the recurring transfer up to £359,000 and a number of FTE’s from Technology and Digital Services (DS) to the Cabinet Office (Office of the Chief Executive).

#### Reasons for Decision

Article 18(1)(a) of the Public Finances (Jersey) Law 2019 states that a specified amount appropriated for one head of expenditure may, with the approval of the Minister for Treasury and Resources, be used for the purposes of another head of expenditure that is set out in the government plan.

Article 18(4) of the Public Finances (Jersey) Law 2019 states that the Minister shall give the States Assembly at least 4 weeks’ notice before an amount is transferred under paragraph (1)(a).

Article 18(5) of the Public Finances (Jersey) Law 2019 states that if a direction under this Article would affect a head of expenditure that relates to the responsibilities of any Minister, that Minister must be consulted before the direction is made. The relevant Minister has been consulted.

To comply with P.67/1999 which charges the Minister for Treasury and Resources to regulate the number of persons that may be employed by the States.

#### Resource Implications

The Technology and Digital Services (DS) head of expenditure to decrease by £359,000 and a number of FTE’s and the Cabinet Office (Office of the Chief Executive) head of expenditure to increase by an identical amount.

This decision does not change the total amount of expenditure approved by the States in the Government Plan 2025-2028 and the transfer will be reflected in the next Government Plan 2026-2029 cash limits.

*This decision can be found on [www.gov.je](http://www.gov.je) under the following Ministerial Decision references –*

- *MD-TR-2025-103*

*which were signed on 14th February 2025.*