

Education and Home Affairs Scrutiny Panel

Record of Meeting

Date: 14th April 2014

Meeting No: 52

Present	Connétable S. W. Pallett, Chairman Connétable M. P. S. Le Troquer, Vice Chairman Connetable S. Rennard
Apologies	
In attendance	Senator B. I. Le Marquand, Minister for Home Affairs (Item 6) Mr S. Le Marquand, Director, Legal Status and Revenue - Customs & Immigration (Item 5 and Item 6 in part) Mr T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
	1. Records of Meetings The records of the Panel's meetings held on 24th and 27th and 31st March 2014 were approved and accordingly signed by the Chairman.	
Item 2 31.03.14 516/39	2. Draft Explosives (Jersey) Law 201- The Panel considered the current position of its Review, and noted that it might shortly expect to receive a response from the Home Affairs Department to recent correspondence, as well as an updated draft of the law following work on further amendments.	MR
Item 3 31.03.14 516/36(1)	3. P.14/2014, Draft Passports (False Statements and Forgery) (Jersey) Law 201- The Panel noted that drafting of its report was ongoing, with active liaison between the Chairman and the Officer.	MR/Chairman
516/1(44)	4. Work Programme The Panel agreed that whilst it would continue to work as productively as possible, it would need to be mindful in arranging its future Work Programme of the significant impact of upcoming States meetings between now and the summer recess on the time available to Members. It noted further limitations associated with the summer recess itself and the subsequent elections in October.	MR/Panel

<p>Item 14 31.03.14 516/1(51)</p>	<p>5. Intellectual Property Rights</p> <p>The Panel welcomed the Director, Legal Status and Revenue - Customs & Immigration who provided a briefing on the draft <i>Community Provisions (Goods Suspected of Infringing Intellectual Property Rights) (Jersey) Regulations 201-</i>. The Director outlined the differences between the new European Union (EU) Regulation (608/2013) incorporated within this legislation and the previous EU Regulation (1383/2003), which had been repealed in December 2013.</p> <p>It was explained that both Regulations were concerned with the importation of goods which infringed certain intellectual property rights, allowing a right holder to apply to the Agent of the Impôts, as the competent Customs authority, for action to be taken by Jersey Customs where it is suspected that goods were being imported into the Island in contravention of the relevant law.</p> <p>However, whilst Regulation 608/2013 served the same purpose as the previous Regulation, it served to extend the scope of the intellectual property covered.</p> <p>It was noted by the Panel that as this was EU legislation that automatically applied to Jersey through the existing constitutional relationship, it would not be possible for any amendments to be made to the detail of the Regulations as drafted.</p> <p>Following the briefing, the Panel agreed that it was content with the draft Regulations as explained by the Director, and that subject to consideration of the Report provided to State Members accompanying the draft <i>Community Provisions (Goods Suspected of Infringing Intellectual Property Rights) (Jersey) Regulations 201-</i>, it was unlikely to undertake further work on the matter.</p>	<p>MR/ Panel</p>
<p>Item 10 31.03.14 516/1(51)</p>	<p>6. Quarterly Public Hearing, Minister for Home Affairs</p> <p>The Panel welcomed Senator B. I. Le Marquand, Minister for Home Affairs, and the Director, Legal Status and Revenue - Customs & Immigration, to a Quarterly Public Hearing. The Hearing was recorded and transcribed.</p> <p>Following the Hearing, the Panel agreed that arrangements should be made for a site visit to be undertaken to HMP La Moye, with a particular focus on the new Visitor Centre.</p> <p>It also agreed that it would include a recommendation for further follow up work to be undertaken relating to the Customs & Immigration Service to be included in its forthcoming legacy report.</p>	<p>MR</p> <p>MR</p>
<p>Item 12 31.03.14 516/18(2)</p>	<p>7. Youth Service</p> <p>The Panel considered background papers and agreed that drafting of a Scoping Document and Terms of Reference for a related Review of the Service should be progressed.</p>	<p>MR</p>

<p>516/1(51)</p>	<p>8. Exam Results</p> <p>The Panel agreed that it would be beneficial to take up the offer of a briefing from the Director of the Education, Sport and Culture Department regarding exam results, and that the morning of 19th May might be most suitable.</p>	<p>MR</p>
<p>Item 13 31.03.14 516/40</p>	<p>9. Trackers Apprenticeship Schemes.</p> <p>The Panel considered and approved the Scoping Document and Terms of Reference for the Review.</p>	<p>TO</p>
	<p>10. Future Meetings</p> <p>The Panel noted that its next meeting was scheduled to take place at 9.30am on 28th April. The meeting would include a briefing from the Minister for Home Affairs at 10am.</p>	