

23.03.21

7 Deputy S.G. Luce of Grouville and St. Martin of the Minister for Economic Development, Tourism, Sport and Culture regarding financial services (OQ.39/2023)

Will the Minister advise whether he has plans to review the “bureaucracy and red tape” that Jersey businesses face and commit to reducing the red tape for non-financial sector businesses; and, if not, why not; and will he further advise how he intends to develop and stimulate the entrepreneurial spirit of Island businesses, with details of the key performance indicators that will be used?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

Reducing barriers to business in Jersey is a key priority for me as Minister for Economic Development, Tourism, Sport and Culture and I have commissioned 2 workstreams in this area. The first is a project to identify existing barriers and the quick wins that may be achieved, as well as longer-term strategic projects. This work is being supported by Jersey Business who are engaging with local companies to understand their experience of engaging with Government. The second workstream will be to work across Government to achieve quick win changes in policy or process, and to make recommendations to the relevant Minister on legislative changes which could support new and existing businesses.

3.7.1 Deputy S.G. Luce:

Does the Minister agree with me that increasing productivity is absolutely key to the future of our economy?

Deputy K.F. Morel:

Absolutely. There is no doubt in my mind that if we are - and I did state this in the speech I made before being elected Minister for Economic Development, Tourism, Sport and Culture - to avoid a massively significant increase in the population of Jersey in order to maintain funding just for the healthcare that will be needed due to the ageing population that the Island has, if we are to avoid that growth in the population, then the only way we can do so is by significantly increasing the productivity of businesses in the Island. Thank you.

3.7.2 The Connétable of St. Brelade:

Does the Minister consider that the annual payment of £75 to the Office of the Information Commissioner provides good value to businesses in the Island?

Deputy K.F. Morel:

While I am more than happy to answer the question, it does seem somewhat unrelated to the question that was previously asked, but I am not here to comment on the need of that particular organisation in terms of the payments they require. It is correct that they do charge businesses in the Island for data protection services. In an age of data passing between organisations unseen by the people who are the subject of that data, I strongly believe in the importance of privacy, individual privacy.

[11:30]

I strongly believe in the importance of therefore regulating businesses which, unfortunately, as we have seen throughout the world, but particularly focused in the United States, the abuse of people’s

personal data can lead to some horrendous and crippling consequences for those who are the subject of that abuse. So I will stand by the Data Protection Commission in undertaking its role to protect Islanders from the abuse of their personal data.

3.7.3 The Connétable of St. Brelade:

My view is that it is related to the previous question. I would ask the Minister to confirm that he believes that it is not just an increase in measures of red tape, as per the question.

Deputy K.F. Morel:

Sorry ...

The Bailiff:

I am not sure that I am able to understand that myself.

The Connétable of St. Brelade:

I am just clarifying the point of my question was that it is believed by many that the payment due to the Office of the Information Commissioner is purely red tape. Would the Minister confirm once again that he believes it is not red tape to pay £75 a year to that office?

Deputy K.F. Morel:

I believe that the protection of Islanders' personal data is of the utmost importance; I believe it is tantamount to a human right. The only way to maintain the protection of Islanders' personal data is to ensure that that data is regulated properly and that businesses that hold data ... and organisations, it is not just businesses; the Government obviously is one of the largest holders of personal data. I believe, therefore, it is vital that we have a regulator that has the resources to be able to protect Islanders' personal data.

3.7.4 Deputy S.Y. Mézec:

I remember instances in the past where Governments in the name of reducing red tape and bureaucracy in effect aimed to reduce employment protections for some businesses. Could the Minister assure us that he considers employment protections to be of the utmost importance and does not consider them in the same vein that the phrase "red tape" is used, as in this question?

Deputy K.F. Morel:

That is basically correct. The review that we are undertaking is looking principally at the processes, so it is not specifically looking at the regulations behind those processes. So the question we are asking is not so much is the regulation wrong, though that will be relevant from time to time. The question we are asking is: is the process involved in carrying out that regulation or imposing that regulation, is that process an appropriate process? So it can be something as simple as: why does it take 5 different visits to different web pages to secure this particular element of permission to start up a business? Why can that not be one web page instead of 5 separate web pages? Those are the areas we are looking at as opposed to the regulations themselves.

3.7.5 Deputy M. Tadier:

It is following on the issue about red tape and bureaucracy. Does the Minister have any thoughts, or is he aware of certain representations - and I will call them complaints - from some people in some sectors that find it very difficult to put on an event expediently? Does he have any thoughts on the triennial regulations which govern that, how it is constituted, and the fact that it could take maybe a 6-month lead-in period for somebody who has an idea to put on an event which could be fairly straightforward that they could be very experienced at organising? Does that constitute a form of red tape and bureaucracy that he might wish to get rid of or help?

Deputy K.F. Morel:

I agree with the Deputy that the current situation with regard to putting on events is an area of where the processes, in my view, could most likely be streamlined. Interestingly, if the Deputy was to ask a similar question to the Minister for Home Affairs on my left about the triennial regulations, I believe he would find someone who is very wanting to move beyond the situation where we bring in these triennial regulations every 3 years and, indeed, that is what we are going to be working towards. As I understand it, we want to move to a point where we do not have to renew the regulations every 3 years, and I am very happy to help in that work. I believe that the whole system for setting up events is something that we do need to look at because it is an onerous system with many different ports of call for event managers.

3.7.6 Deputy M. Tadier:

Where there is to be red tape or bureaucracy, does he think it is important that if we need it, and if it is to happen, that it should be implemented by politicians and not by the court? So does he have any concerns or comments on the fact that when it comes to things like minimum pricing of alcohol, which is a form of red tape, and maybe justifiable politically, that those kind of decisions should come from Government and politicians, not from a non-governmental body like a court official?

Deputy K.F. Morel:

I have some sympathy with that perspective but, while saying that, I am not convinced one way or the other. I am going to sit on the fence on this one for a little bit longer and understand the situation a bit longer but I do understand that line of argument, and I am very happy to look at the areas that the Deputy is referring to.

3.7.7 Deputy S.G. Luce:

When the Minister is talking about productivity and diversity, does he agree with me that we need a small Government, one that stands back rather than in the way, one that facilitates rather than dictates?

Deputy K.F. Morel:

In terms of economic policy, that is something that I do agree with in the main. One of the things that I really, really enjoy about my role as the Minister is, I believe, that I am imposed to try to make Jersey a highly investable place, a place where it is easy to do business and a place where young people can grow up believing that they can realise their dreams in this Island. That means Government providing the framework that enables business to take place in this Island but not trying to run those businesses or be those businesses themselves, so from that perspective I do agree.