

**WRITTEN QUESTION TO THE
MINISTER FOR ECONOMIC DEVELOPMENT, TOURISM, SPORT AND CULTURE
BY DEPUTY R.J. WARD OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 9th OCTOBER 2018**

Question

What consideration, if any, is being given to amending the current provisions for busking (particularly in relation to amplified instruments) with regard to reducing or abolishing the license fee and to allowing buskers to keep their earnings during December?

Answer

Busking remains within the scope of the Bailiff's common law power to regulate public entertainment. In turn, the Bailiff has for some years now delegated to the Jersey Arts Centre responsibility for operating a permit system. Guidelines for busking in Jersey are available from the Jersey Arts Centre.

In his capacity as Assistant Minister for Economic Development, Tourism, Sport and Culture, Deputy M. Tadier is currently reviewing previous relevant policy development work carried out by officials, together with the position in Guernsey – where a more liberal approach to busking and street entertainment is understood to work well – with a view to considering possible options for reform.

In the intervening period, the provisional view of the Assistant Minister is –

- (a) that the prohibition on using electrical amplification is a blunt tool for controlling noise and one that discriminates against certain types of instruments and musicians. For example, it possible for a brass band, with full percussion to be able to play without amplification, whereas a musician with an electric guitar or keyboard would be unable to play at all;
- (b) that the £30 busking fee might deter or be excessive for occasional buskers, as well as those who busk solely for charity. Given that there are only 20 official buskers registered this year, the Assistant Minister considers that a trial reduction or waiving of the fee might help establish whether a lower fee would generate more interest; and
- (c) that the fairness and equity of the current obligation on buskers to give all earnings to charity during 'the Christmas period' may be open to challenge.