

4.10 The Deputy of Grouville of the Minister for Economic Development Tourism, Sport and Culture regarding the requirement of tourism establishments to keep records of their guests:

Could the Minister advise whether Visit Jersey no longer requires establishments to keep a record of their guests, along with passport and residency details, of their E.U. (European Union) and non E.U. visitors and, if so, explain why?

Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):

The legal duties of establishments regarding guest records changed on 1st July this year when Article 25 of the Tourism (General Provisions) (Jersey) Order 1990 was formally repealed. For this, 2 laws essentially required the same thing. Proprietors of hotels and other tourist accommodation establishments are still obliged to keep a record of all persons of, or over, 16 years of age who stay in their premises, and this requirement remains by virtue of the Immigration (Hotel Records) (Jersey) Order. So proprietors are no longer required to fill in and return completed guest registration cards at regular intervals. That is the main difference. This is in line with my desire to remove red tape and unnecessary bureaucracy for businesses, and presents Visit Jersey with an opportunity to capture visitor data in a far more efficient and innovative way.

4.10.1 The Deputy of Grouville:

Could the Minister tell us if it was he who instigated these changes for there no longer being a legal requirement? At a time when we have no population policy and, we learn this morning, no census until 2020, does the Minister consider this action to scrap these records, to be responsible?

Senator L.J. Farnham:

I do, I think it is completely a responsible move. The move was instigated by my department with the full support of the Visit Jersey board and the industry. I think the Deputy could be missing a point, because we have the Immigration (Hotel Records) (Jersey) order, which requires businesses to keep exactly the same records; there was a duplication of work. E.E.A. (European Economic Area) nationals have to have full name, nationality and date of arrival recorded; for non E.E.A. nationals the record must include full name, nationality, home address, passport number, place of issue, and all other identity document arrival details next to destination, et cetera. So the law requires all registered accommodators to keep that information, and it is available for inspection by police officers, immigration officers or other persons authorised by the Minister for Home Affairs. I do think it is responsible and I think it was a helpful move for the hospitality sector.

4.10.2 Senator S.C. Ferguson:

I do wonder if, while it may be reducing red tape, whether it is a slightly retrograde step, given the terrorism aspects of life today. I am not sure how much information the Minister says establishments will be keeping, because the comment I have from the industry - and I must perhaps declare a conflict here, Sir, because I am a director of a hotel - is that passports are relevant re non-British customers, but it is a bit of a nonsense, as many travel with just an I.D. (identification) card. Exactly how, as the Deputy of Grouville said, are we going to keep a check on people if we are not getting the information? Perhaps the Minister would like to enlighten us.

Senator L.J. Farnham:

But we are getting the information because the Immigration (Hotel Records) (Jersey) order requires that all the information that the Senator has just talked about is obtained and kept by the accommodation providers. They have to supply that information. There was a duplication; that information, or part of that information, was being legally required on a visitor registration card, which was filled in in duplicate. One half had to be filed and one half had to be returned to the Tourism Department. Now the accommodation providers just have to keep that record, and some of them still do use cards, but some of them now in the digital era are storing the data securely electronically. I think that is much more efficient. To reiterate, that detailed information is required and is kept.

4.10.3 Senator S.C. Ferguson:

Yes, the information may be taken and kept on a visitor card but if your visitors arrive with an I.D. card and no passport, how are you going to cope?

Senator L.J. Farnham:

I am not sure I understand the question because, if a visitor arrives from a country that requires them to show their passport, they will have their passport with them and they would have needed it to enter the Island. Other forms of identity are full acceptable, and they always have been.

4.10.4 Deputy M. Tadier:

I am presuming the underlying reason for the question is so we know exactly how many tourists are in the Island at any one time so we can keep up-to-date figures and compare them to previous years to see what trends there are. Is the Minister aware that, of course, nowadays people do not just stay in the traditional establishments but they are increasingly using facilities like couch-surfing, a website, or Airbnb, which do not necessarily get registered? Is there any effective way of monitoring the number of tourist visitors that we get to the Island as opposed to just general footfall through the airport and harbours?

Senator L.J. Farnham:

That is a really good question and that is at the heart of one of the drivers for making these changes because, of course, the information that the old Tourism Department had been gathering for decades from these registration cards was very limited and, of course, they only counted people that stayed in registered accommodation providers, they did not count people who stayed with friends or relatives or in other places. So, as well as the hotels still maintaining records of every single visitor that stays with them, Visit Jersey, and they have an excellent Statistics Department led by a very able statistician, between 1st July this year and the early part of next year will exit-survey over 40,000 people. Information about all visitors will be available, not just those staying in accommodation sectors, but also staying in other forms of accommodation, such as the Deputy has mentioned. Also, on those exit surveys, much more detailed information can be asked, for example, information of money spent while they are on the Island, their sentiment about the Island, whether they will be returning, whether they will be recommending to friends and relatives. All in all, I think we are going to, in the years ahead, collate a much more rich and useful source of information.

4.10.5 Deputy J.A. Martin:

I think this follows on: when is a visitor not a visitor? How long are they staying? What work is the Minister for Economic Development, Tourism, Sport and Culture doing with our Minister in charge of our non-population policy, Senator Routier? The Minister has mentioned every department himself: Visit Jersey, Home Affairs; we have an Assistant Chief Minister in charge of a population policy that has not been mentioned in this House today. I think that is where

the Deputy of Grouville is coming from. We want to know, are they visitors? Two weeks, that is fair enough. Are they visitors staying, actively seeking work? We do not know. Are you working together? That is the question I am putting to this Minister. I keep hearing silo upon silo this morning.

Senator L.J. Farnham:

This was a question about visitor registration cards. Far from working in silos, the Government are working together like we have never worked together before. All of the information again that the Deputy mentioned there, and I will repeat this for the third time, is required to be kept by accommodation providers under the Immigration (Hotel Records) (Jersey) Law, so that information is still collated and is available for inspection.

Deputy J.A. Martin:

Sorry, I had a supplementary. Is it passed on to ...

The Bailiff:

I am sorry, Deputy, I nearly disallowed your question before as not really relating to this particular question. Final supplementary.

4.10.6 The Deputy of Grouville:

Just to clarify, the underlying reason is to demonstrate we have no record of who is in the Island and this requirement that is no longer needed just exacerbates it. We have no population policy, no census until 2020. It is Government's job to know who is in the Island and how long they are staying, not down to the establishments that may be letting their rooms out, not for visitors, for long-term residents of this Island that want to stay. I cannot understand why the Minister feels this is a step forward into getting Government just to scrap all these records that have been kept for decades, and especially at this time. I would like his comment on this. Is it a responsible move?

[11:15]

The Bailiff:

He has already answered that question, but Minister?

Senator L.J. Farnham:

As much as I do respect the Deputy of Grouville, I think a lot of her opinions here are based on conjecture because, I repeat, all of the same information is kept by the hotels and is available, and I quote: "Records must be available for inspection by police officers, immigration officers or other persons authorised by the Minister for Home Affairs." That is a provision of the law, so that information is there. Repealing Article 25 of the relevant order really means that hotels do not have to do work in duplicate and triplicate and return little bits of card to the Tourism Department every week. I think that is a step forward.