



Brexit Review Panel

Records of Meetings

Year: 2018

The following records of meetings have been approved by the Panel.

Signed

A handwritten signature in black ink, appearing to be 'Kirsten Morel'.

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Chairman
Deputy Kirsten Morel

Brexit Review Panel

Record of Meeting

Date: 20 July 2018

Present	Senator Sarah Ferguson Constable Mike Jackson Deputy David Johnson Deputy Kirsten Morel
Apologies	Deputy Mary Le Hegarat
Absent	
In attendance	Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
<p>1. Appointment of Chair</p> <p>It was agreed to appoint Deputy Kirsten Morel as Chair of the Review Panel. It was further agreed to appoint Deputy David Johnson as Vice-Chair.</p> <p>It was noted that Deputy Mike Higgins had expressed an interest in joining the Panel.</p> <p>It was further noted that the Corporate Services Panel and Education and Home Affairs Panel had not identified members to join the Brexit Panel. It was agreed that the Chairman would approach those Panels about nominating members to join the Panel.</p> <p>It was agreed to write to other States members with an invitation to join the Panel.</p>	<p>SS</p> <p>KM</p> <p>SS</p>
<p>2. Declarations of Interest</p> <p>The provisions of the Scrutiny and PAC Proceedings: Code of Practice were noted. No declarations of interest were made.</p>	
<p>3. Panel remit and work programme</p> <p>The Panel discussed its terms of reference and noted that a final draft would be drawn up after the meeting.</p> <p>The Panel requested that a scoping document be prepared, detailing the key stakeholders for each of the priority areas identified in the Council of Ministers' Brexit strategy.</p> <p>It was agreed that particular attention would need to be given to the use of ministerial orders in relation to legislation changes as a result of Brexit. It was agreed to request that any such orders be notified to the Panel in advance of coming into force.</p>	<p>SS</p> <p>SS</p> <p>SS</p>
<p>4. Hearings</p> <p>It was agreed to schedule some subject-specific hearings on particular areas of interest in the Autumn, subject to the Panel's capacity in light of the expected volume of Brexit related legislation due to be lodged.</p>	<p>SS</p>
<p>5. Briefings and Future meetings</p> <p>It was noted that the Panel would meet the following week to receive briefings on the Brexit legislation programme.</p>	

Brexit Review Panel

Record of Meeting

Date: 26 July 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Senator Sarah Ferguson Constable Mike Jackson
Apologies	Deputy Mary Le Hegarat
Absent	Deputy Mike Higgins
In attendance	Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
1. Briefings The Panel received briefings from officers on the Brexit legislation programme and the draft Sanctions and Asset-Freezing (Jersey) Law.	
2. Draft Sanctions and Asset-Freezing (Jersey) Law The Panel considered the points raised in the briefing from officers and noted that the draft law was being prepared as a consequence of Brexit. It was therefore considered that scrutiny of the draft law would be best undertaken by the Brexit Panel. It was noted that the draft law could fall within the remit of the Corporate Services Scrutiny Panel, and it was agreed to communicate the Panel's intentions to the members of the Corporate Services Panel.	SS
3. Vienna Convention on Road Traffic It was noted that the Chairman and Constable Jackson (as chairman of the Environment, Housing and Infrastructure Scrutiny Panel) had received a briefing on changes to Jersey legislation, as a result of Brexit, to adopt parts of the Vienna Convention on Road Traffic. It was agreed that any scrutiny review of this work would be most appropriately undertaken by the Environment, Housing and Infrastructure Scrutiny Panel.	

Brexit Review Panel

Record of Meeting

Date: 6th September 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Senator Sarah Ferguson Senator Kristina Moore Constable Mike Jackson Deputy Mary Le Hegarat Deputy Rob Ward
Apologies	
Absent	Deputy Mike Higgins
In attendance	Deputy Rowland Huelin, Education and Home Affairs Scrutiny Panel member Kate Nutt, Group Director, External Relations Simon Spottiswoode, Scrutiny Officer Item 1: Dan Marcos, Head of International Compliance Matthew Waddington, Legislative Drafter Heather Mason, Assistant Legal Advisor Victoria Bell, Legal Advisor Item 2: David Walwyn, Director, External Relations Paul Eastwood, Deputy Comptroller of Taxes Neil Watt, Principal External Relations Officer Matthew Berry, Senior Legal Advisor Mark Cockeram, Acting Head of Service, Jersey Customs and Immigration Service Anna Siodlak, External Relations Officer

Agenda matter	Action
<p>1. Briefing - Draft Sanctions and Asset-Freezing (Jersey) Law</p> <p>The Panel received a short update on progress in drafting the Sanctions and Asset Freezing (Jersey) Law. It was noted that the draft law would be lodged by 23rd October 2018, for debate on 4th December 2018.</p>	
<p>2. Briefing - Customs</p> <p>The Panel received a briefing on ongoing work in relation to customs as a result of Brexit.</p> <p>At the end of the briefing, the Group Director, External Relations then updated the Panel on other matters relating to Brexit, including contingency planning, membership of the World Trade organization and adoption of the Vienna Convention for Motor Traffic.</p>	

Brexit Review Panel

Record of Meeting

Date: 1st October 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Senator Sarah Ferguson Senator Kristina Moore Constable Mike Jackson Deputy Mary Le Hegarat Deputy Rob Ward
Apologies	
Absent	Deputy Mike Higgins
In attendance	Dan Marcos, Head of International Compliance Matthew Waddington, Legislative Drafter Heather Mason, Assistant Legal Advisor Victoria Bell, Legal Advisor Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
<p>1. Briefing - Draft Sanctions and Asset-Freezing (Jersey) Law</p> <p>The Panel received a briefing from officers on the Sanctions and Asset Freezing (Jersey) Law. It was noted that the latest version of the draft law had been circulated to the Panel in advance. The briefing covered the rationale and content of the law, and also the consultation work undertaken by officers.</p> <p>Following the briefing, the Panel met in private and agreed that it did not appear necessary to undertake an in-depth review of the draft law. Instead, the Panel agreed to consider drafting a short comments paper outlining the work it had undertaken on the draft law.</p>	

Brexit Review Panel

Record of Meeting

Date: 19th October 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Senator Sarah Ferguson Senator Kristina Moore Deputy Rob Ward Deputy Trevor Pointon (Member of the Education and Home Affairs Panel)
Apologies	Constable Mike Jackson Deputy Mary Le Hegarat
Absent	Deputy Mike Higgins
In attendance	Simon Spottiswoode, Scrutiny Officer Andrew Harris, Scrutiny Officer Item 1 only: Kate Nutt, Group Director, External Relations David Walwyn, Director, External Relations Paul Eastwood, Deputy Comptroller of Taxes Victoria Bell, Legal Advisor

Agenda matter	Action
<p>1. Briefing – Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations</p> <p>The Panel received a briefing from officers on the Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations (P.120/2018). It was noted that in addition to the draft regulations, the government was in the process of agreeing a Customs Arrangement with the United Kingdom. It was envisaged that the Customs Arrangement would be finalised prior to the draft regulations being debated on 4th December.</p>	
<p>2. Immigration (Biometric Information) (Jersey) Order 2018: extension to Jersey by Order in Council</p> <p>The Chairman reported back to the Panel on a briefing which he attended with the Education and Home Affairs Scrutiny Panel in relation to the Immigration (Biometric Information) (Jersey) Order 2018: extension to Jersey by Order in Council (P.105/2018).</p> <p>It was noted that while some concerns existed in relation to this legislation, it was linked to changes to collection of biometric information within the United Kingdom.</p> <p>It was noted that the Chairman would be undertaking further work on this matter in advance of the States Assembly debate on 6th November and would report back to the Panel.</p>	
<p>3. EU Settlement Scheme</p> <p>It was noted that the EU Settlement Scheme announced by the Minister for Home Affairs was due to be implemented by ministerial order shortly. It was further noted that the Education and Home Affairs Scrutiny Panel had received a briefing on the scheme.</p>	

4. Brexit Contingency Plans

It was noted that the Panel had received previous commitments from government officials to provide it with copies of the government's Brexit contingency plans. However, the plans had not yet been provided to the Panel.

It was considered important that the Assembly could be assured that the government's plans were receiving adequate scrutiny and it was agreed to make a further request for copies of the plans.

Brexit Review Panel

Record of Meeting

Date: 30th November 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Constable Mike Jackson
Apologies	Senator Sarah Ferguson Senator Kristina Moore Deputy Rob Ward Deputy Mary Le Hegarat
Absent	Deputy Mike Higgins
In attendance	Neil Watt, Principal External Relations Officer Steve Webster, Brexit Advisor, Growth, Housing and Environment Department Richard Blake, Emergency Planning Officer Roy Towler, Health and Community Services Department Brexit Operational Group Mark Richardson, Assistant Director, Health and Community Services Department Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
1. Briefing – Brexit Contingency Plans The Panel received a private briefing from officers on the government's Brexit Contingency Plans. The record of the meeting was classified as exempt in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	

Brexit Review Panel

Record of Electronic Meeting

Date: 5th December 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Constable Mike Jackson Deputy Rob Ward Deputy Mary Le Hegarat
Apologies	
Absent	Senator Sarah Ferguson Senator Kristina Moore Deputy Mike Higgins
In attendance	Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
<p>1. Draft Sanctions and Asset-Freezing (Jersey) Law (P.119/2018) – Comments Paper</p> <p>The Panel noted receipt of a draft Comments paper in relation to the Draft Sanctions and Asset-Freezing Law and approved the Comments paper for publication, subject to certain changes proposed by the Chairman.</p>	
<p>2. Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations (P.120/2018) – Comments Paper</p> <p>The Panel noted receipt of a draft Comments paper in relation to the Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations and approved the Comments paper for publication, subject to certain changes proposed by the Chairman.</p>	

Brexit Review Panel

Record of Meeting

Date: 13th December 2018

Present	Deputy Kirsten Morel (Chairman) Deputy David Johnson (Vice-Chairman) Deputy Rob Ward Constable Mike Jackson
Apologies	Senator Sarah Ferguson Senator Kristina Moore
Absent	Deputy Mike Higgins
In attendance	Simon Spottiswoode, Scrutiny Officer

Agenda matter	Action
<p>1. Panel membership</p> <p>It was noted that Deputy Mary Le Hegarat had resigned from the Panel.</p>	
<p>2. Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations</p> <p>It was noted that the Panel's comments paper on the Draft EU Legislation (Customs Union, Import and Export Control (Jersey) Regulations had been presented to the States on 5th December 2018. It was further noted that the Draft Regulations had been approved by the States.</p>	
<p>3. Draft Sanctions and Asset-Freezing (Jersey) Law</p> <p>It was noted that the Panel's comments paper on the Draft Sanctions and Asset-Freezing (Jersey) Law had been presented to the States on 5th December 2018. It was further noted that the Draft Law had been approved by the States.</p>	
<p>4. Public Hearing</p> <p>It was agreed to hold a Public Hearing with the Minister for External Relations on 18th January 2019. The Panel discussed possible areas of questioning.</p>	
<p>5. Brexit Contingency Plans</p> <p>Recalling the briefing it had received on the Government's Brexit contingency plans, the Panel agreed to request further briefings in relation to Health and Home Affairs.</p> <p>It was agreed to write to the Minister for the Environment to request written information regarding support for the fishing industry after Brexit.</p> <p>It was also agreed to write to the Minister for Treasury and Resources to request copies of her Department's Brexit contingency plans, particularly in relation to protecting Jersey's economy.</p>	<p>SS</p> <p>SS</p> <p>SS</p>
<p>6. States Business</p> <p>The Panel agreed to write to the Chief Minister to ask how he plans to manage the volume of Brexit related business coming before the States in the lead up to 29th March 2019.</p>	

7. Use of Ministerial Orders

It was noted that the Government expected to make use of ministerial orders where possible to make changes to legislation in relation to Brexit. This had been discussed at a recent public hearing of the Economic Affairs Scrutiny Panel with the Minister for External Relations.

It was agreed that it was important that the Panel closely monitored any such ministerial orders, and to ask officials to ensure that a process was put in place to notify the Panel in advance of any orders being signed.

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