

2019.03.12

6 Deputy K.F. Morel of the Chief Minister regarding the action taken in response to cross-party amendments to the Financial Services (Implementation of Legislation) Bill in the U.K. House of Commons: [OQ.68/2019]

Will the Chief Minister advise what action was taken once the cross-party amendments to the Financial Services (Implementation of Legislation) Bill, which sought to legislate for the Crown Dependencies, and which were originally due to be debated on Monday, 4th March 2019, had been tabled?

Senator J.A.N. Le Fondré (The Chief Minister):

That has taken a fair amount of my attention over the last few days and weeks. Ministers were made aware as soon as the amendment to the Financial Services Bill was published on Friday, 1st March. That lunchtime I met with the Minister for External Relations and the Group Director for Financial Services, to agree our position and strategy. That afternoon I held a conference to all the Chief Ministers of Guernsey and the Isle of Man; it was agreed that the Chief Ministers would meet in London on Monday, 4th March, in order to engage with U.K. Ministers and parliamentarians on the progress of the Bill and the amendments. The purposes of those meetings were threefold: firstly, to clarify the constitutional position between the U.K. and the Crown Dependencies; secondly, to emphasise the existing measures in place in all Crown Dependencies to combat financial crime and tax evasion; and, thirdly, to reiterate our commitment to a global standard on registers of beneficial ownership. At the same time, briefings and letters were issued to parliamentarians, clearly setting out our leading approach to beneficial ownership and the constitutional position. It is important to remember that this activity builds on the programme of engagement between Jersey and U.K. parliamentarians over a number of years on this issue and other matters of interest to the Island. I will be making a statement later today on the matter.

6.6.1 Deputy K.F. Morel:

There is a feeling, a sense, a perception, that the Government was taken somewhat by surprise by these amendments. Could the Chief Minister confirm whether that was the case and whether he believes that Jersey, having officers in London, having representatives in the capital, should perhaps have been better prepared and expecting such amendments?

Senator J.A.N. Le Fondré:

We have known this has been coming for some time. It was anticipated it would be attached to a different Bill. Basically, the U.K. Government, the Financial Services Bill came out of committee on the Wednesday and they took the opportunity to lodge, I believe, on the Thursday and amendments were, therefore, lodged on the Friday. In terms of that timing, that was unexpected, but the principle of an amendment coming down, bearing in mind we have had the visits from the 2 particular U.K. M.P.s (Members of Parliament) before Christmas, was known and anticipated. In terms of the Jersey Office, I will say that they worked and have been working and continue to work very, very hard on this matter. In terms of the meetings in the Jersey Office in London, with all the Crown Dependencies, it was an excellent example of us coming together very quickly, working well and achieving an outcome.

6.6.2 Deputy K.F. Morel:

Beyond firefighting, could the Chief Minister explain what measures he is taking to ensure such ill-advised amendments cease to be tabled by M.P.s in Westminster?

Senator J.A.N. Le Fondré:

I still do not like the word “firefighting” because, as we have said, it has been anticipated for quite some time. We continue to engage with the U.K. Government and with the signatories we engage with and will continue to engage with the signatories of those particular amendments.

[10:30]

The difficulty we all face, obviously, is, as we are a separate legislature, so is the U.K. Parliament. Therefore, although we can persuade and use rational argument, which, of course, in this Assembly would always take precedent, it does not always necessarily happen in other parliaments around the world. We are well placed, we know our constitutional position; no doubt I will be questioned more on that when I do get to the statement and we are defending that constitutional position. That is the position of this Government and I hope this Assembly will endorse that.