

Corporate Services Scrutiny Panel

Record of Meeting

Date: 26th May 2015

Present	Deputy J.A.N. Le Fondré, Chairman Deputy S.M. Brée, Vice-Chairman Connétable C.H.Taylor Deputy K.C. Lewis
Apologies	
Absent	
In attendance	Mr S. Neal, Finance Director, States of Jersey Development Company (item 1 meeting only) Advocate J. Kelleher, Lawyer, Carey Olsen (item 1 meeting only) Mr M. De La Haye, OBE, Greffier of the States (item 1 meeting only) Mrs J. Hales, Scrutiny Officer

Ref Back	Agenda matter	Action
Item 2 13.05.15 513/46	<p>1. Jersey International Finance Centre</p> <p>The Panel welcomed Mr S. Neal, Finance Director of the States of Jersey Development Company (SOJDC) and Advocate J. Kelleher, Lawyer at Carey Olsen who represented SOJDC to a meeting to discuss the Jersey International Finance Centre and the Panel's ongoing request for the confidential BNP documentation. The Panel expressed its reluctance to sign a confidentiality agreement to release the BNP documentation as it contained a personal liability clause. The Panel was offered an alternative confidentiality agreement to review and discuss with a view to signing and the BNP document being released, however, due to this also containing a personal liability clause, the Panel agreed it would not be signed. SOJDC was advised that failure to release the document to the Panel by 9am the following morning may result in a summons being issued to obtain it. The Panel was informed that due to failure to reach an applicable arrangement for both parties, SOJDC would refer the matter to Chairman's Committee under Article 9.19 of the Code of Practice. This concluded the meeting.</p> <p>The Panel had recently been made aware that an un-redacted copy of the BNP documentation was held at the Department of Treasury and Resources. The Panel requested a letter be sent to the Minister for Treasury and Resources asking for an un-redacted copy of the BNP documentation. The Panel also requested that the Solicitor General be contacted and asked for availability to meet with the Panel on 1st June 2015. The Panel further requested a letter be sent to the Chief Minister informing him a meeting had taken place with the Panel and SOJDC, who had attended with their lawyer.</p> <p>The Panel agreed it would ask an oral question at the next States sitting on 2nd June 2015 to enquire why it has been denied access to the BNP</p>	

	documentation. It was agreed the Chairman would work on wording for the question and circulate to the Panel prior to lodging. The Panel agreed to hold off on issuing a summons to SOJDC until it had asked its oral question at the next States sitting. The Panel requested public hearings be arranged for week commencing 8th June 2015 for SOJDC, the Chief Minister and the Minister for Treasury and Resources. The Panel requested areas of questioning be drafted and circulated and agreed to meet at 2pm on Friday 5th June to discuss further.	JH
Item 1 13.05.15 513/37(6)	2. Public Finance (Jersey) Law 2005 – Amendment No.2 The Panel recalled the recent wording of the amendment circulated by the Department of Treasury and Resources to the Panel's current amendment. The Panel discussed the wording and confirmed it did not agree with what was being proposed and requested the word "any" be changed to the word "all".	JH
513/37(7)	3. Public Finance (Jersey) Law 2005 – Amendment No.3 The Panel had received an additional amendment to the Public Finance (Jersey) Law which had been lodged by the Department of Treasury and Resources. The Panel asked if this could be forwarded to CIPFA to undertake a possible desktop review.	JH