

# Economic Affairs Scrutiny Panel

## Meeting No 56

7th February 2008

Present Deputy G. P. Southern, Chairman  
Deputy J. A. Martin  
Deputy K. C. Lewis  
Apologies Deputy A. Breckon  
Connétable M. K. Jackson  
Absent  
In attendance Nathan Fox, Scrutiny Officer

Ref Back	Agenda matter	Action
1.	<b>Minutes</b>  The Minutes of the meetings held on 23rd January 2008 were approved.	<b>NJF</b>
2.  Item 2 23.01.08	<b>Draft Price and Charge Indicators (Jersey) Law 200- (Matters Arising)</b>  The Panel noted that an amendment to the Economic Development Minister's proposition entitled 'Draft Price Indicators (Jersey) Regulations 200-(P.14/2008) had been lodged 'au Greffe' by Senator L. Norman.  This amendment was intended permit exclusive GST pricing in respect of items that were pre-priced before importation into the Island, such as pre-packaged food, newspapers and magazines.  The Panel recalled that the original proposition contained provisions which would allow retailers selling pre-priced imported items to display a GST percentage on the packaging or on the shelf, and obviate the requirement upon them to re-price these goods to display an inclusive sale price.  Senator Norman's amendment would require that shops express the amounts to be added in pence, not percentages. The opinion of the Senator, as expressed in the report to the amendment, was that this would provide additional clarity to consumers in respect of the price of goods.  The Panel considered the amendment, and raised concerns that the requirements on businesses to physically amend the amounts to be added to pre-packaged goods outweighed any benefits that might be obtained in terms of clarity to the customer.  Furthermore, the Panel considered that if the additional cost was exactly 3 per cent, this would result in total bills containing fractions of a penny, and if whole pennies were charged then the customer	

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	<p>would not be paying 3 per cent.</p> <p>The Panel did not therefore consider that its intention to produce an amendment to the Draft Price Indicators (Jersey) Regulations 200- was affected by this amendment.</p> <p>The Panel decided that it would produce comments on both the amendment and the proposition.</p> <p>Officers were directed to contact the Channel Island Co-Operative Society, the GST Director, Mr D. Warr, Chair of the Jersey Chamber of Commerce Small Business Group, and Mr. P. Brakespeare, to determine their opinion on the amendment</p>	<b>NJF</b>
<b>3.</b>	<p><b>Chairmen's Committee Briefing Paper</b></p> <p>The Panel received a briefing paper in respect of the Chairmen's Committee meeting of 18th January 2008.</p> <p>The Chairman informed that Panel that the Corporate Services Scrutiny Panel had withheld an advance copy of a proposition regarding the development of a 'Jersey Enterprise Board'. He indicated that the Chairman of that Panel had been conflicted in this regard and had therefore decided not to review the subject. He expressed concern that following this decision that the Corporate Services Scrutiny Panel Chairman had not informed other Panels of the existence of this proposition.</p> <p>The Chairman was of the opinion that confidentiality agreements should not apply to the passage of information from one Scrutiny Panel to another. He also expressed serious dissatisfaction that this matter had been withheld, and indicated that were the Scrutiny system to be operated in a more hierarchical manner (while not desiring this to be the case) the Chairman of the Corporate Services Scrutiny Panel would have been severely sanctioned by other members, and by the Chairmen's Committee.</p> <p>He also indicated that this and other incidents had cast serious doubt on the suitability of the Chairman of the Corporate Services Scrutiny Panel to occupy that post.</p>	
<b>4.</b>	<p><b>Jersey Telecom Privatisation</b></p> <p>The Panel received an invoice in the sum of £4000.00 from Hanson Renouf Barristers and Accountants, in respect of work on the Telecoms Privatisation review on behalf of the Economic Affairs sub-Panel (Telecoms Privatisation).</p> <p>The Panel approved this expenditure.</p> <p>Officers were directed to take the appropriate action.</p>	<b>NJF</b>
<b>5.</b> <b>Item 5</b> <b>23.01.08</b>	<p><b>The Role and Funding of Jersey Finance Limited</b></p> <p>The Panel received an officer report detailing the progress and</p>	

	<p>current position of the review.</p> <p>The Panel indicated that this review was now in its closing stages, and that the officers would be expected to develop a draft report on the subject for approval following the attendance of Mr. G. Cooke, Chief Executive of Jersey Finance Limited (JFL) at a Public Hearing.</p> <p>The Panel was informed of concerns that the review might, if concluded in the near future, fail to meet in full the terms of reference as agreed. The Panel was reminded that these were –</p> <ol style="list-style-type: none"> <li>1. To review the original terms of reference of JFL, and to assess development and functions of JFL against these.</li> <li>2. To evaluate the role, effectiveness and balance of public and private funding.</li> <li>3. To review JFL's Business planning and reporting.</li> <li>4. To consider comparable experiences from other jurisdictions.</li> <li>5. Any other pertinent matters that may arise during the course of the review.</li> </ol> <p>Term of reference No. 1 had been met to the extent of consideration of the original terms of reference of JFL. However, the Panel was informed of concerns that term of reference No. 2 was not achievable due to the difficulty of measuring the benefit of Jersey Finance Limited to the finance industry. Term of reference No. 3 had not been met as the Panel had at no point examined a Business Plan for JFL. Term of reference No. 4 had not been examined in detail, partly due to the difficulties of examining the situation in other jurisdictions. Term of reference No. 5 was met by default.</p> <p>The Panel, while it acknowledged the concerns, considered that the forthcoming Public Hearing with the Chief Executive of JFL would address these satisfactorily.</p>	<b>EKW</b>
<p><b>6.</b></p> <p><b>Item 6</b> <b>23.01.08</b></p>	<p><b>States Annual Business Plan 2009</b></p> <p>The Chairman informed the Panel that the draft Annual Business Plan 2009 was currently available only under a confidentiality agreement.</p> <p>The Chairman did not consider this to be satisfactory, and indicated his preference for a public debate to be held on matters of public expenditure from the initial point of development. Furthermore, he did not consider that the justification for keeping this information confidential (that the information was exempted from release under the Code of Practice on Public Access to Official Information Section 3.2.1 (a) (xiv) – premature release of draft policy) was suitable.</p> <p>Accordingly, the Chairman had not agreed to sign a confidentiality</p>	

	<p>agreement with the Executive in respect of this draft Business Plan information.</p> <p>The Panel therefore noted that it would not receive any information regarding the Annual Business Plan at this time.</p>	
<p><b>7.</b></p> <p><b>Item 7</b> <b>23.01.08</b></p>	<p><b>Employment and Training Opportunities in Jersey</b></p> <p>The Panel recalled that the Chairman had directed that all non-Executive States members be invited to join a Sub-Panel to conduct the 'Employment and Training Opportunities in Jersey' review.</p> <p>The Panel noted that few replies had arrived, and that the only positive response had been received from Deputy Le Claire.</p> <p>The Panel was minded to welcome Deputy Le Claire onto the Sub-Panel, however it was established during the course of the meeting that the States Greffe had on previous occasions indicated that developing a Sub-Panel consisting of an entire Scrutiny Panel plus additional members was not appropriate as it effectively constituted co-option of non-members onto a Panel.</p> <p>It would therefore not be possible to have the Economic Affairs Scrutiny Panel plus Deputy Le Claire, as had been envisaged, operating as a Sub-Panel.</p> <p>As one aspect or another of the Employment and Training Opportunities in Jersey review was appealing to all members, the Panel regretfully concluded that it would be unfair to insist that a member step down for the duration of the review to permit Deputy Le Claire to take part, and that therefore, notwithstanding the invitation, the Panel would not be able to work with him in this instance.</p> <p>The Chairman directed officers to prepare correspondence to both Deputy Le Claire and all non-Executive members outlining the position.</p>	<p><b>NJF</b></p>
<p><b>8.</b></p> <p><b>Item 9</b> <b>23.01.08</b></p>	<p><b>Future meetings</b></p> <p>The Panel noted that it had intended to hold its next meeting on 20th February 2008. Members indicated that there would not be a quorum available on this date, and accordingly the Panel decided to meet instead on 13th February 2008.</p> <p>Additionally, the Panel noted that its concerns over the use of the Blampied Room by the Corporate Services Scrutiny Panel had been addressed, and that with the exception of two dates the Corporate Services Scrutiny Panel had agreed to return the room to the Panel.</p> <p>Officers were directed to make the appropriate arrangements.</p>	<p><b>NJF</b></p>

**Signed**

**Date**

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**Chairman Deputy G. P. Southern**  
**Economic Affairs Panel**

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