

States of Jersey
States Assembly



États de Jersey
Assemblée des États

Records of Meetings

Year: 2022

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

Signed

A handwritten signature in black ink, appearing to read "David Johnson". The signature is written in a cursive style with a long horizontal stroke extending to the right.

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Chair – Deputy David Johnson
Economic and International Affairs Scrutiny Panel

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 6th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	James Silverston, Director, Financial Services Charlotte Brambilla, Associate Director, Financial Services Julie Kerr, Associate Director, Financial Services James Roberts, Associate Director, Financial Services Janice Hales, Committee and Panel Officer

Agenda matter	Action
<p>Briefing on upcoming legislation due in January 2022</p> <p>The Panel received a briefing from Departmental officers from Financial Services on upcoming legislation due for debate in January namely:</p> <ul style="list-style-type: none">• Jersey Resolution Authority• Creditor's winding up regime• Pension regulations <p>This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 7th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Matt Thomas, Chief Executive Officer, Ports of Jersey [item 1 only] Darren Scott, Chief of Staff, Ports of Jersey [item 1 only] Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Meeting with Ports of Jersey re Memorandum of Understanding The Panel met with officers from Ports of Jersey (PoJ) to discuss the recently drafted Memorandum of Understanding (MoU). This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	
2. Records of Meetings The Panel approved the records of its meetings dated 4th November [public and private], 10th, 12th, 19th and 30th November and 2nd December 2021.	
3. Regulation of Jersey Estate Agents The Panel was informed that drafting of the report had commenced with a possible presentation of mid-February. The Panel discussed the role of Deputy Tadier, who had been co-opted to the Panel for this review, and it was agreed that the Chair would write to him to provide an update and discuss his future role.	DJ/BW
4. Review of the Regulations for the licensing, production and export of Medicinal Cannabis in Jersey The Panel noted its report on the Review of the Regulations for the licensing, production and export of Medicinal Cannabis in Jersey had been presented on 6th January and had been covered by most of the local media outlets. The Panel was informed the Ministerial Response template would be sent to the Minister later that day with a response due within 6 weeks.	JH

<p>5. Work Programme and Potential Reviews for 2022</p> <p>The Panel discussed the following topics as areas for review in the first quarter of 2022:</p> <p style="padding-left: 40px;">Jersey Aircraft Registry (JAR) (following receipt of Oxera Report) MoU's for States Arm's Length Bodies The Rural Economy Jersey Gambling Commission</p> <p>The Panel noted it had received a copy of the JAR Oxera report under confidentiality and was informed a briefing document would be circulated to highlight the key issues within the report, following which the Panel could consider undertaking a review.</p> <p>The Panel noted it was due to meet the Minister for Treasury and Resources on 10th January to discuss the MoU's for States Arms Length Bodies and agreed it would defer this topic until after that meeting.</p> <p>The Panel noted it was due to meet with the President of the Jersey Farmers Association on 14th January regarding the rural economy and agreed it would defer this topic until after that meeting.</p> <p>The Panel recalled it had met with the Jersey Gambling Commission and would revisit the correspondence received following this meeting after which it would consider undertaking a review.</p> <p>The Panel agreed any review would need to be completed by the end of April to allow for the upcoming election period.</p>	<p>JH/BW</p>
<p>6. EIA Financial Services Briefing on legislation for January debate</p> <p>The Panel noted the recently held briefing on the upcoming legislation due for debate week commencing 18th January. The Panel raised concerns on two pieces of legislation namely:</p> <p style="padding-left: 40px;">P.108 – Creditors Winding Up Regime P.112 – Pension Regulations</p> <p>The Panel agreed it would be beneficial to undertake further work on these propositions and requested a letter be drafted to the Minister for External Relations and Financial Services asking for the possibility of a deferral of the debate to the next States sitting week commencing 8th February.</p>	<p>JH</p>
<p>7. Consultation on proposed changes to the JFSC's Civil Financial Penalties Regime (P.104/2021)</p> <p>The Panel noted the recently circulated briefing paper highlighting the key issues on this proposition. The Panel agreed that, on the key findings highlighted, it would use these as a foundation for a comments paper and asked this be drafted and circulated for further discussion.</p>	
<p>8. Jersey Competition Regulatory Authority (JCRA)</p>	

<p>The Panel noted and agreed the recently circulated areas of questioning for its upcoming meeting with the JCRA.</p>	
<p>9. Future of Fort Regent</p> <p>The Panel noted the recently circulated Ministerial Decision on the future of Fort Regent circulated by the Minister for Economic Development, Tourism, Sport and Culture in response to its letter dated 4th December and agreed a further letter be drafted requesting additional information on the Political Oversight Group.</p>	<p>JH</p>
<p>10. International & Trade Advisory Group (ITAG)</p> <p>The Panel noted the recently circulated Minutes of the International & Trade Advisory Group (ITAG) dated 21st September 2021 and requested a letter be drafted to the Minister for External Relations and Financial Services requesting further information on Pillars 1 and 2.</p>	<p>JH</p>
<p>11. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be on 14th September via Microsoft Teams and would include a meeting with the President of the Jersey Farmers Association.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 10th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Deputy Susie Pinel, Minister for Treasury and Resources Deputy Lindsey Ash, Assistant Minister for Treasury and Resources Simon Hayward, Director of Treasury and Investment Management Steven Robinson, Head of Shareholder Relations Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Briefing re Memorandums of Understanding on States Arm's Length Bodies The Panel met with the Minister and Assistant Minister for Treasury and Resources together with departmental officers to discuss Memorandums of Understanding (MoU's) on States Arm's Length Bodies. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 14th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Peter Le Maistre, President of Jersey Farmers Association [item 1 only] Jane Rueb, Private Secretary, Jersey Farmers Association [item 1 only] Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer Ella Nicholls, Communications Officer

Agenda matter	Action
1. Meeting with Jersey Farmers Association The Panel met with the President of the Jersey Farmers Association together with the Private Secretary to discuss the recently held Jersey Farmers Conference. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	
2. Records of Meetings The Panel approved the records of its meetings dated 10th and 21st December [public and private].	
3. Regulation of Jersey Estate Agents The Panel was informed that drafting of the report was ongoing and a draft for consideration would be circulated in due course.	BW
4. Work Programme and Potential Reviews for 2022 The Panel recalled the topics it had discussed for possible review in the first quarter of 2022 and agreed to the following: <u>Jersey Aircraft Registry (JAR) (following receipt of Oxera Report)</u> The Panel requested a letter be drafted to the Minister for Economic Development, Tourism, Sport and Culture advising him of its intention to potentially undertake some review work on the JAR and further requesting when the Oxera Report would be made public. <u>MoU's for States Arm's Length Bodies</u>	JH

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<p>The Panel noted its recent briefing with the Minister for Treasury and Resources and its request during that briefing for additional documentation. Following receipt of this documentation, the Panel would consider undertaking a review. It was also agreed that the Chair would draft a briefing document for the Panel to consider on Jersey Partnerships and their link to MoU's.</p> <p><u>The Rural Economy</u></p> <p>Following its meeting with the President of the Jersey Farmers Association (JFA), the Panel agreed to explore the possibility of undertaking a review however, the Panel was conscious of the fact that this may cut across other Panel remits, in particular, Health and Social Services with regards to Social Security Contributions for seasonal workers. It was agreed the Chair would write to the Scrutiny Liaison Committee in the first instance asking if there were any concerns following which the Panel would discuss the next steps, if any. The Panel also noted the review currently being undertaken by a review Panel on the Common Population Policy which was Chaired by Senator Pallett. Senator Pallett informed the Panel that the JFA had been approached to for a written submission on the issue of work permits and any other obstacles it faced with seasonal workers. The Panel agreed it would ensure that both its Terms of Reference, should it go forward with a review, and those of the review Panel did not overlap and would be discussed prior to any approval.</p> <p><u>Jersey Gambling Commission</u></p> <p>The Panel recalled it had agreed to look at the MoU between the Jersey Gambling Commission and the Government of Jersey. It was agreed the Chair would review the MoU and provide feedback to the Panel for further consideration before deciding to undertake a review.</p>	<p>DJ/JH</p> <p>DJ/JH</p> <p>DJ</p>
<p>5. EIA Financial Services Briefing on legislation for January debate</p> <p>The Panel noted its request for a deferral on two pieces of legislation, namely the Creditors Winding Up Regime and the Pension Regulations, had been agreed by the Minister for External Relations and Financial Services and would now be due for debate the week commencing 8th February. The Panel also noted the recently circulated briefing paper regarding the two legislation pieces which highlighted its concerns and agreed to write to the Minister asking for details on the consultation process undertaken on the creditors winding up scheme together with the results of the review undertaken by the working group on pensions.</p>	<p>JH</p>
<p>6. Consultation on proposed changes to the JFSC's Civil Financial Penalties Regime (P.104/2021)</p> <p>The Panel noted its recently presented comments paper on P.104/2021 JFSC's Civil Financial Penalties Regime which was due for debate the following week.</p>	
<p>7. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be on 28th September via Microsoft Teams.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 21st January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	George Pearmain, Director of Financial Crime [item 1 only] Matthew Jowitt, Solicitor General [item 1 only] Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Briefing on P.123/2021 Draft Proceeds of Crime (Amendment No.5) (Jersey) Law 202- Confiscation of Assets The Panel received the Director of Financial Crime and the Solicitor General to a briefing on P.123/2021 Draft Proceeds of Crime (Amendment No.5) (Jersey) Law 202- Confiscation of Assets. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	
2. Regulation of Jersey Estate Agents The Panel was informed that drafting of the report was ongoing and a draft for consideration would be circulated in due course.	BW
3. Seasonal Workers and the Rural Economy The Panel discussed areas for its Terms of Reference and requested a Scoping Document be drafted and circulated with the Terms of Reference for further discussion.	JH
4. Appointment of Members to States Advisory Boards The Panel noted the recent appointment of Members to various States Advisory Boards by the Minister for Economic Development, Tourism, Sport and Culture and discussed if it should have been made aware of these appointments in advance of the notice being circulated to all States Members. It was agreed the Chair would send an email to the Minister asking if the Panel could be kept informed of any future appointments in advance.	DJ
5. Any Other Business	JH

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<p>The Chair noted a letter he had received from a member of the Public regarding competition rights at Jersey Airport. It was agreed this would be put on the agenda for further discussion at the Panel's next scheduled meeting.</p>	
<p>6. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be on 28th January via Microsoft Teams.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 27th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Ian Clarkson, Sector Lead, Retail and Visitor Economy Fiona McArdle, Sector Officer Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Briefing regarding Update to the Tourism Strategy The Panel received the Sector Lead, Retail and Visitor Economy and the Sector officer to a briefing regarding the update to the Tourism Strategy. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 28th January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meetings held on 6th, 7th, 10th and 14th January [public and private].	
2. Regulation of Jersey Estate Agents The Panel was informed that drafting of the report was ongoing ⁸ and a draft for consideration would hopefully be circulated towards the end of next week.	BW
3. Seasonal Workers and the Rural Economy The Panel discussed the recently circulated Terms of Reference and Scoping Document for this review and raised a number of queries. The Panel was concerned that the Terms of Reference may impact onto the recently lodged proposition to amend the Control of Housing and Work Law (CHWL) and asked more clarity be made around the 9 month work permit allowance and how this impacted seasonal workers. The Panel was also concerned that the review may be seen as being open to all seasonal workers and asked that the Terms of Reference be made specific to agricultural workers only.	JH
4. Memorandums of Understanding (MoUs) for States Arm's Length Bodies The Panel recalled its response from the Minister for Treasury and Resources in relation to MoU's for States Arms Length Bodies and noted it was due to respond. The Chair agreed to draft a response for Panel approval which would then be circulated to the Minister.	DJ
5. Jersey Gambling Commission (JGC) The Chair informed the Panel he had received an email from the Chief Executive of the JGC stating that feedback from the Assistant Minister from Economic Development, Tourism, Sport and Culture had been positive and they were due to	

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<p>discuss ways of working together. The Panel requested a letter be drafted to the Assistant Minister asking further details of how they would be working together with the JGC and how the Department would be promoting gambling as a whole.</p>	
<p>6. Update to the Tourism Strategy</p> <p>The Panel noted its recently held briefing regarding the update to the Tourism Strategy and asked that a letter be drafted to the Minister requesting further information on the strategy and what contingency plan, if any, was in place should the plan not meet the proposed deadline of early April.</p>	<p>JH</p>
<p>7. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be on 4th February via Microsoft Teams.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 31st January 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Deputy Kirsten Morel, Assistant Minister for Economic Development, Tourism, Sport and Culture [item 1 only] Paul Millbank, Sector Lead, Arts [item 1 only] Deputy Richard Buchanan, Assistant Minister for Financial Services and External Relations [item 2 only] James Silverston, Director, Financial Services [item 2 only] Charlotte Brambilla, Associate Director, Financial Services [item 2 only] Julie Kerr, Associate Director, Financial Services [item 2 only] Louise Richardson, Associate Director, Financial Services [item 2 only] Helen De La Cour, Associate Director, Financial Crime Strategy [item 2 only] Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Briefing regarding the Arts and Heritage Strategy The Panel received the Assistant Minister for Economic Development, Tourism, Sport and Culture and the Sector Lead, Arts to a briefing regarding Arts and Heritage Strategy. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	
2. Briefing on <i>P.108/2021 Draft Companies (Amendment No. 8) (Jersey) Regulations 202- Creditors Winding up Regime</i> <i>P.112-2021 - Draft Financial Services (Amendment of Law No. 6) (Investment Business) (Jersey) – Pension Regulations</i> <i>Limited Liability Companies (LLC's)</i> The Panel received the Assistant Minister for Financial Services and External Relations and Departmental officers to a briefing on P.112-2021 - Draft Financial Services (Amendment of Law No. 6) (Investment Business) (Jersey) – Pension Regulations, P.108/2021 Draft Companies (Amendment No. 8) (Jersey) Regulations 202- Creditors Winding up Regime and Limited Liability Companies (LLC's).	

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Pension Regulations

The Panel recalled its previous briefing on Pension Regulations and it was discussed that since that briefing, the Minister had agreed to defer the debate on this topic until week commencing 8th February to allow the Panel time to undertake further work. The Panel had requested additional information which had been forthcoming and agreed that whilst it was relatively satisfied with the correspondence and attachments received, it would discuss the next steps and revert to the Minister as soon as possible regarding its decision.

Creditors Winding Up Regime

The Panel also recalled its previous briefing on Creditors Winding up Regime and it was discussed that since that briefing, the Minister had agreed to defer the debate on this topic until week commencing 8th February to allow the Panel to undertake further work. The Panel had received correspondence from the Department relating to queries it had raised and was concerned on one particular area regarding the consultation which seemed to be contradictory. The Panel was informed that conflicting views had arisen from the consultation process from various Law Firms and with this in mind, the Minister had decided the best approach would be to take the 'middle ground' with regards to the amendments. The Panel agreed it would discuss the next steps and revert to the Minister as soon as possible regarding its decision.

LLC's

The Panel was informed that amendments to the existing Limited Liabilities Companies Legislation were due to be lodged in the next two weeks with a proposed debate date of end of March. The Panel recalled it had received drafts of the proposed amendments and was given a very brief overview of what each contained. The Panel was informed that a consultation process had taken place with key stakeholders and in total, five responses to the consultation had been received showing overall support. The Panel was further informed that as this would be a primary piece of legislation, it would require Privy Council approval and if the amendments were approved as planned, this would take place in September. It was agreed that as this was an orientation briefing, the Panel would receive a full, further briefing on the amendments prior to lodging.

The Panel thanked the Assistant Minister for Financial Services and External Relations and the Departmental officers for their time and they exited the video conference.

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 4th February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer Kaya Camara, Research and Project Officer

Agenda matter	Action
1. Regulation of Jersey Estate Agents The Panel was informed that the report was being finalised and would be circulated early the following week for Panel discussion. The Panel discussed the role of Deputy Tadier who had been co-opted to the review however, had been unable to attend several hearings and discussion meetings due to personal reasons. It was agreed the Chair would write to Deputy Tadier and provide an update on the status of the review inquiring if he could provide input to the final draft, in the areas where he was present.	DJ/BW
2. Work Programme and Potential Reviews for 2022 <u>Jersey Aircraft Registry (JAR) (following receipt of Oxera Report)</u> The Panel noted it had not yet received a response from the Minister for Economic Development, Tourism, Sport and Culture and asked that this be followed up. <u>MoU's for States Arm's Length Bodies</u> The Panel noted and agreed the letter drafted by the Chair and requested this be sent to the Minister for Treasury and Resources without delay.	JH JH
3. Seasonal Workers and the Rural Economy The Panel approved its Terms of Reference and Scoping Document and requested these be sent to the Scrutiny Liaison Committee for approval as soon as possible.	JH
4. Partnership Directorships The Panel recalled its recent briefing with the Minister for Treasury and Resources on Memorandums of Understanding (MoUs) and also recalled that during that briefing, it was informed that the role of Partnership Directors would be replaced by Policy Leads. The Panel agreed it would benefit from further information around the role of Partnership Directorships and asked that a meeting be arranged with the relevant officer who would be knowledgeable in that area.	JH

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<p>5. EIA Financial Services Briefings on Creditors Winding up Regime, Pensions Regulations, Limited Liability Companies (LLC's) Limited Partnerships (LP's) and Policy Framework</p>	
<p>The Panel noted the recently held briefings on these areas and agreed it would discuss the next steps in due course. The Panel also noted the upcoming Financial Services Briefing on LLC's, LP's and Policy Framework on Monday 7th February.</p>	
<p>6. Arts and Heritage Strategy</p>	
<p>The Panel recalled its recently held briefing with the Assistant Minister for Economic Development, Tourism, Sport and Culture regarding the recently approved Arts and Heritage Strategy and the offer of a site visit to the Jersey Opera House (JOH). The Panel requested a letter be drafted to the Assistant Minister specifically on the delay in the re-opening of the JOH to ask what timeline was being worked to with regards to the refurbishment, what consultation had taken place, where the funding would be coming from now that the JOH longer qualified for fiscal stimulus due to the delay and how reassured the Assistant Minister was that the funding would be forthcoming. The Panel also requested a letter be drafted to the Chair of the Jersey Opera House Limited asking what consultation had taken place with them, if any, with regards to the ongoing refurbishment and delays.</p>	<p>JH</p>
<p>7. Jersey Airport Competition concerns - Corporate Aviation Sector</p>	
<p>The Panel discussed the recently received correspondence from a member of the public regarding competition concerns. The Panel recalled the correspondence had also been sent to the Corporate Services Scrutiny Panel (CSSP) and it was agreed that the Chair would take it forward with the Chair of that Panel to discuss the next steps, if any.</p>	<p>DJ</p>
<p>8. Quarterly Public Hearings with Ministers</p>	
<p>The Panel noted its upcoming public hearings with the three Ministers under its remit and also noted these would be the final public hearings before the end of this term of office. The Panel asked if the hearing with the Minister for Economic Development, Tourism, Sport and Culture be extended by half an hour, if possible, to ensure all areas are covered under this extremely broad remit.</p>	<p>JH</p>
<p>9. Future Meetings</p>	
<p>The Panel noted its next scheduled meeting would be on 18th February in Le Capelain Room and would include a public hearing with the Minister for External Relations and Financial Services.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 7th February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Senator Ian Gorst Minister for Financial Services and External Relations James Silverston, Director, Financial Services Charlotte Brambilla, Associate Director, Financial Services Helen De La Cour, Associate Director, Financial Crime Strategy Janice Hales, Committee and Panel Officer

Agenda matter	Action
<p>1. Briefing regarding the Financial Services Policy Framework, Limited Liability Companies (LLC's) and Limited Partnerships (LP's)</p> <p>The Panel received the Minister for Financial Services and External Relations and departmental officers to a briefing regarding the Financial Services Policy Framework, Limited Liability Companies (LLC's) and Limited Partnerships (LLP's). This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 16th February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Peter Le Maistre, President of Jersey Farmers Association Jane Rueb, Private Secretary, Jersey Farmers Association Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Seasonal Workers and the Rural Economy The Panel received Peter Le Maistre, President of Jersey Farmers Association and Jane Rueb, Private Secretary, Jersey Farmers Association for a Public Hearing to discuss its review of Seasonal Workers and the Rural Economy. The hearing was recorded and webcast live via Microsoft Teams and a transcript was produced.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 18th February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meetings held on 21st, 27th, [public and private] and 28th January.	
2. Regulation of Jersey Estate Agents The Panel discussed the draft of its recently circulated report. The Panel made amendments and requested an update be circulated for further discussion. It was noted that the Chair had written to Deputy Tadier who was due to provide input to the report in due course.	BW
3. Seasonal Workers and the Rural Economy The Panel discussed the recently held Public Hearing with the Jersey Farmers Union (JFU) and the upcoming Public Hearings with the Minister for Home Affairs and the Jersey Royal Company (JRC). The Panel agreed it would discuss the next steps of the review following completion of the Public Hearings.	JH
4. Limited Liability Companies (LLC's) The Panel discussed the recently held briefing on LLC's and agreed no further action would be required at this stage.	
5. Limited Partnerships (LP's) The Panel discussed the recently held briefing on LP's and asked that a briefing document be drafted highlighting the key areas of the upcoming amendments and circulated for further discussion.	JH
6. P.25/2022 Draft Income Tax (Amendment of Law - Limited Liability Companies) (Jersey) Regulations 202- The Panel discussed the recently lodged proposition by the Minister for Treasury and Resources and whilst this Ministry was not under its responsibility, the Panel agreed to look into it further as the area of LLC's was within the Panel's remit. The Panel agreed that it was happy with the content of the proposition and that it aligned the existing Companies Law. It therefore agreed that no further work would be required	

18.02.2022

at this stage. The Panel requested the officer for the Corporate Services Scrutiny Panel (CSSP) be informed and asked to circulate its decision to the Chair of CSSP.	
7. Future Meetings The Panel noted its next scheduled meeting would be on 25th February at 10am via Microsoft Teams.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 21st February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Mike Renouard, Jersey Royal Company [item 1 only] Deputy Gregory Guida, Minister for Home Affairs [item 2 only] Deputy Lindsay Ash, Assistant Minister for Home Affairs [item 2 only] Luke Goddard, Acting Director for Immigration & Nationality [item 2 only] Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Seasonal Workers and the Rural Economy – Public Hearing with the Jersey Royal Company The Panel received Mike Renouard of the Jersey Royal Company for a Public Hearing to discuss its review of Seasonal Workers and the Rural Economy. The hearing was recorded and webcast live via Microsoft Teams and a transcript was produced.	
2. Seasonal Workers and the Rural Economy – Public Hearing with the Minister for Home Affairs The Panel received the Minister for Home Affairs, the Assistant Minister for Home Affairs and the Acting Director for Immigration & Nationality for a Public Hearing to discuss its review of Seasonal Workers and the Rural Economy. The hearing was recorded and webcast live via Microsoft Teams and a transcript was produced.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 25th February 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Joe Pennell, Government of Jersey, London Office Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer [item 2 only]

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meeting held on 31st January [public and private].	
2. Regulation of Jersey Estate Agents The Panel was informed that the report was with key stakeholders and the relevant Minister's for factual checking, due back on Tuesday 1st March. It noted it had received confirmation that Deputy Tadier would provide comments and/or amendments to the report by close of business on 25th February. The Panel agreed it would respond via email before close of business on Tuesday, with its final comments and/or amendments, and would look to final approval and sign off of the report at its meeting on 4th March.	BW
3. Bilateral Agreement – Government of Jersey (GoJ) and the United Arab Emirates (UAE) The Panel received a Departmental officer from Financial Services and External Relations to a briefing regarding the GoJ and UAE Bilateral Trade Agreement. This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35. Following this briefing, the Panel agreed it would write to the Minister for External Relations and Financial Services to indicate its support for the Minister to proceed on the basis as set out.	JH
4. Seasonal Workers and the Rural Economy The Panel discussed the recently held Public Hearings with the Minister for Home Affairs and the Jersey Royal Company (JRC). The Panel recalled during the Hearing with the JRC, it was informed that seasonal workers were charged 20% during their time working in Jersey. The JRC queried if this was fair considering the work permit was for a 9 month period and the seasonal worker was in effect being charged tax for a 12 month period. The Panel agreed that whilst it was a topic that may need to	

25.02.2022

<p>be reviewed further, it was not within its Terms of Reference. The Panel would however make reference to it within its report as an area of interest and also note it within its upcoming Legacy Report.</p>	<p>JH</p>
<p>5. Limited Partnerships (Jersey) Law (LP's)</p> <p>The Panel noted the briefing document highlighting the key areas for the upcoming amendments to the Limited Partnerships (Jersey) Law. The Panel recalled that the amendments had yet to be lodged and asked that a briefing be arranged shortly after lodging to address any concerns it may have.</p>	<p>JH</p>
<p>6. Quarterly Public Hearings with Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Panel noted its upcoming Public Hearing with the Minister for Economic Development Tourism, Sport and Culture on 11th March and discussed areas of questioning. The Panel was informed that its recent request for the Hearing to be extended by 30 minutes had been declined due to other commitments by the Minister. The Panel agreed it would prioritise areas of questioning for the Public Hearing and should it run out of time, any additional areas would be followed up with written correspondence.</p>	<p>JH</p>
<p>7. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be held on 11th March in Le Capelain Room at 10am and would include a Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 4th March 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Senator Ian Gorst, Minister for External Relations and Financial Services [item 1 only] George Pearmain, Director of Financial Crime [item 1 only] James Roberts, Associate Director, Financial Services [item 1 only] Dan Marcos, Head of International Compliance [item 1 only] David Le Marquand, Private Secretary to Minister [item 1 only] Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer [not item 1]

Agenda matter	Action
<p>1. Sanctions against Russia during Ukraine Crisis Bilateral Trade Agreement – Government of Jersey (GoJ) and the United Arab Emirates (UAE)</p> <p>The Panel received a briefing from the Minister for External Relations and Financial Services and Departmental officers regarding the sanctions against Russia during the crisis in the Ukraine and the Bilateral Trade Agreement (BIT) between the Government of Jersey (GoJ) and the United Arab Emirates (UAE). This meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.</p> <p>Following this briefing, the Panel agreed to write to the Minister asking for further assurance around the implementation of the BIT to ensure the reputation of Jersey would not be compromised.</p>	JH
<p>2. Regulation of Jersey Estate Agents</p> <p>The Panel approved its report and it was agreed it would be presented the following week. The Panel was informed that a press release was currently being drafted and it would be sent to the Chair for consideration.</p>	BW
<p>3. Seasonal Workers and the Rural Economy</p> <p>The Panel was informed that the report was currently being drafted and that correspondence was due imminently from the Minister for Social Security.</p>	JH
<p>4. Future Meetings</p>	

The Panel noted its next scheduled meeting would take place on 11th March at 10am in Le Capelain Room and would include a briefing from the External Relations Department to update the Panel on upcoming Free Trade Agreements.	
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Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 10th March 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	George Pearmain, Director of Financial Crime Bastain Hertstein, Associate Director of Financial Crime Mark Coxshall, Detective Chief Inspector (States of Jersey Police on Secondment with Government of Jersey) Jon Stevens, Jersey Financial Services Commission Jason Carpenter, States of Jersey Police Janice Hales, Committee and Panel Officer

Agenda matter	Action
<p>1. Briefing on P.24/2022 – Draft Proceeds of Crime (Amendment No.6) (Jersey) Law 202-</p> <p>The Panel received a briefing from Departmental officers from Financial Services and External Relations and representatives of the States of Jersey Police Department (SoJP) on P.24/2022 – Draft Proceeds of Crime (Amendment No.6) (Jersey) Law 202- recently lodged and due for debate on 29th March 2022.</p> <p>The Panel was informed that in December 2015, MoneyVal agreed its Mutual Evaluation Report regarding the Island's compliance with the Financial Action Task Force (FATF) recommendations and highlighted concerns about the rationale for scope exemptions that mean certain businesses were not required to comply with Anti Money Laundering (AML) and Combatting Financial Terrorism (CFT) obligations. The purpose of the Amendment would seek to mitigate this, however, should the Amendment be adopted, it would only represent the conclusion of the first phase of this work stream.</p> <p>Work had been completed on the primary law changes that are needed to make the overall approach to separating AML/CFT exemptions however, the Panel was informed that this is a big change that needed continuous close working with industry to develop guidelines, guidance and miscellaneous amendments to the legislative framework. This work had started and would run through to September 2022 following which there would be a six-month transitional period for industry. Industry had recognised that six months was a standard transitional period for this type of work and acknowledged that it balanced the need to implement the change in a timely manner, while providing time and space for industry to put in place necessary systems and processes.</p>	<p>JH</p>

10.03.2022

The Panel was informed that the exemptions regime was developed over many years alongside the development of Jersey's financial services industry. As each new law was introduced, there were a range of exemptions that were developed to make sure that not all activities were captured, the legislation that was developed was summed up as:

- Collective Investment Funds (Jersey) Law 1988
- Banking Business (Jersey) Law 1991
- Insurance Business (Jersey) Law 1996
- Financial Services (Jersey) Law 1998:
- Investment Business in 1998
- Trust Company Business in 2000
- Fund Services Business in 2007
- Money Service Business in 2007
- General Insurance Mediation Business in 2008
- Alternative Investment Funds Service Business in 2014

The development of the legislation and the exemptions associated with it worked well from the point of view of what was needed at the time, but as identified in the Report by MoneyVal in 2015, there were several exemptions that were not compatible with the FATF Standards, which only allowed exemptions that were demonstrably low-risk.

The Panel was informed that there were about 100 exemptions that had all been carefully considered and were addressed by the work on exemptions. They fell into five categories:

- 3 exemptions that would continue as they were compatible with the FATF Standards
- 10 exemptions that would continue with careful guidance to ensure that they were compatible
- 6 exemptions that were not applicable as they did not relate to AML/CFT matters
- 2 exemptions that required further work (relating to directors and trustees)
- 72 exemptions that would fall away as they were not compatible with the FATF Standards

The Panel was further informed that working groups were convened by a former Jersey Financial Services Commission (JFSC) Deputy Director General and involved representatives from across all industry sectors. They had worked through close to 50 exemptions from December 2020 to May 2021. This was followed by discussion on law drafting through to November 2021 with public consultation (with the working group as well as all industry bodies, Jersey Finance and other interested parties) in December 2021-January 2022.

Following this briefing, the Panel agreed it would write to the Minister for External Relations and Financial Services to inform him of its next steps.

2. P.32/2022 Draft Proceeds of Crime (Financial Intelligence) (Amendment) (Jersey) Regulations 202-

The Panel received a briefing from Departmental officers from Financial Services and External Relations and representatives of the States of Jersey Police Department (SoJP) on P.32/2022 Draft Proceeds of Crime (Financial Intelligence) (Amendment) (Jersey) Regulations 202-, recently lodged and due for debate on 29th March 2022.

The Panel was informed that the purpose of this Amendment was to clearly define the status, role, and function of Jersey's Financial Intelligence Unit (JFIU) in order to demonstrate clear technical compliance with the Financial Action Task Force (FATF) Recommendation 29. The role of the FIU had never been articulated and so a primary focus of the draft legislation was to set out that role and align its role and purpose with the international standards so that the intelligence function effectively had its own identity. The Amendment would focus on key areas such as having operational independence, being appropriately resourced and being able to freely carry out their functions, undertake strategic analysis of the intelligence received and take adequate measures to safeguard intelligence.

The FIU was described to the Panel as the engine room for agencies engaged in fighting financial crime. It was the central hub of intelligence that should receive suspicions from entities, develop intelligence and then disseminate for either consideration of investigation or to assist other jurisdictions through sharing intelligence. For Jersey, the FIU role had grown organically since the introduction of the 1999 law and had been considered as another police department within the States of Jersey Police. Historically the FIU has been solely staffed by police officers. Over the past decade, the profile of those working within the FIU had changed in recognitions that the skills required stretched much wider than simply police officers including analytical support and industry experience. All posts were held by police staff except for the current Detective Sergeant who was the sole police officer now based within the JFIU. The need to retain a police officer within the JFIU was solely driven by legislation that was demanding of a police officer being required to withhold consent decisions aligned to Article 32 of the current Law.

The draft Regulations covered areas for change that would enhance the overall effectiveness of what would now become known as the JFIU, splitting clearly the two functions of the previous JFCU into:

- FIU (housed in JFIU).
- Operations (which would remain in the States of Jersey Police)

Moreover, the draft Regulations clearly provided that the JFIU had independence and autonomy which had been a recommendation for action from previous reviews.

The Panel was informed that the role of Head of FIU (soon to be Director of) had always been fulfilled by a Police Inspector, leading in what had been viewed as another police department. The Panel was further informed that the positioning of that role in Jersey had not kept pace with other jurisdictions in terms of level of seniority and placement within wider anti-money laundering structures and the escalation of the role would allow the postholder to operate on a comparable level and give due regard to the span of responsibilities expected of that role. The FATF required that the Director of FIU had complete autonomy to operate.

The move to allocate autonomy to the Director of the FIU would mean detachment from the current hierarchy within the States of Jersey Police that ultimately fed into the Chief of Police. In order to support the Director, a Board was proposed in order to hold that Director to account, set strategic direction, receive a report to outline effectiveness and remain as the conduit between the Director and the Minister

enabling operational autonomy. The broad role of the board had been set out within the draft Law however needed to be further articulated within Memorandum of Understanding which had yet to be finalised.

The Panel was informed that the lodged Amendments represented part of a broader piece of work that looked to develop the FIU which included considerable resource uplift, defined legislation, and alignment to the international standards in terms including the development of new and emerging roles around key elements such as an ability to conduct strategic analysis, dedicated outreach and engagement and development of the unit's technical capability. This work was ongoing, and the Panel was informed that the new Scrutiny Panel would be kept informed of any updates once it began its work at the beginning of the new term of office.

Following this briefing, the Panel agreed it would write to the Minister for External Relations and Financial Services to inform him of its next steps.

The Panel thanked the officers and the representatives of the SoJP for their time and they exited the video conference.

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 11th March 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Beth Davies - Principal External Relations Officer (Brexit and Trade) [item 3 only] Phil Roberts, External Relations Policy Officer [item 3 only] Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer [item 2 only]

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meeting held 4th February, 7th February [public and private], 16th, 18th and 21st February and 25th February [public and private].	
2. Regulation of Jersey Estate Agents The Panel noted its report had been presented and the Ministerial Responses were due by mid April.	BW
3. Free Trade Agreements (FTA's) The Panel received a briefing from Departmental officers for an update on Free Trade Agreements (FTA's). The meeting was held in private in accordance with the Freedom of Information (Jersey) Law 2011 (as amended) under Qualified Exemption Article 35.	
4. Seasonal Workers and the Rural Economy The Panel noted it had received correspondence from the Minister for Social Security however, further information on how seasonal workers access the healthcare system would need to be sought from the Minister for Health and Social Services. The Panel requested a letter be drafted and circulated to the Chair for further consideration.	JH
5. Technology Accelerator Fund P.75/2022 The Panel discussed the recent email inviting it to a briefing on the Technology Accelerator Fund which had been recently lodged by the Council of Ministers and was due for debate on 25th April. The Panel noted that it had not had any previous briefings and was unaware such a fund was due to be lodged however, was informed that the Corporate Services Scrutiny Panel (CSSP) had lodged an amendment to the Fund in the last Government Plan. The Panel was further informed that it was being involved due to the impact of the fund on the economy and CSSP was involved from	

<p>a funding perspective. The Panel went on to express its disappointment at its lack of involvement to date however, agreed it would attend the briefing following which it would discuss its next steps.</p>	
<p>6. Quarterly Public Hearings with Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Panel noted its Quarterly Public Hearing with the Minister for Economic Development Tourism, Sport and Culture due on 11th March had been cancelled and was in the process of being rescheduled.</p>	<p>JH</p>
<p>7. Jersey Aircraft Registry (JAR)</p> <p>The Panel noted the correspondence received from the Assistant Minister for Economic Development, Tourism, Sport and Culture stating that the Oxera Report undertaken for the JAR should remain confidential, despite the Panel requesting it be made public. The Panel asked if a private meeting could be arranged with the Assistant Minister to discuss this further.</p>	<p>JH</p>
<p>8. Jersey Lifeboat Association (JLA)</p> <p>The Panel noted correspondence received from the JLA in relation to the Ports of Jersey (PoJ). The Panel asked that a letter be drafted to PoJ asking if they had seen the correspondence and what steps they planned to take to respond, if any.</p>	<p>JH</p>
<p>9. Regulations for the Licence Application, Production and Export of Medicinal Cannabis on Jersey</p> <p>The Panel noted that it had received a Ministerial Response for its review however, was informed that the Response had not been approved and was not in its final format. The Panel noted that it had not received an updated Ministerial Response, despite it being due on 22nd February. The Panel asked that this be followed up with a reply from the Minister as to the reason for its delay.</p>	<p>JH</p>
<p>10. Any Other Business</p> <p>The Chair informed the Panel that he would be off Island on States business on 30th, 31st March and 1st April. It was noted that there were a number of propositions due for debate which had been lodged by the Minister for External Relations and Financial Services and the Minister for International Development. The Panel noted that in the absence of the Chair, the Vice Chair would speak on behalf of the Panel's for the relevant propositions.</p>	
<p>11. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be held on 8th April in Le Capelain Room/Teams at 10am.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 28th March 2022

Present	Deputy David Johnson, Chair Senator Steve Pallett
Apologies	Deputy Steve Luce, Vice Chair
Absent	
In attendance	Matthew Jowitt, Solicitor General [item 1 only] George Pearmain, Director of Financial Crime Bastain Hertstein, Associate Director of Financial Crime Alex Rowse, Associate Director, Financial Crime Strategy Janice Hales, Committee and Panel Officer

Agenda matter	Action
<p>1. P.51/2022 Draft Proceeds of Crime (Amendment No. 7) (Jersey) Law 202-</p> <p>The Panel received a briefing on the recently lodged P.51/2022 Draft Proceeds of Crime (Amendment No. 7) (Jersey) Law 202- from the Solicitor General and officers from the Financial Services Department.</p> <p>The Panel was informed that the proposed Amendment changes form part of the global standards required by the Financial Action Task Force (FATF) and, the implementation of this legislation was key to the upcoming assessment of Jersey's Financial Services, due to take place in 2023 by MONEYVAL.</p> <p>The Panel was taken through the Proposition and was informed that this particular Amendment was classed within the Failure to Prevent (FTP) group. The purpose of the Amendment was to show that jurisdictions are demonstrating that money laundering offences and activities are investigated, and offenders are prosecuted and subject to effective, proportionate, and dissuasive sanctions. The Amendment would, if adopted, also enhance Jersey's overall Anti-Money Laundering (AML) and Countering Financial Terrorism (CFT) effectiveness.</p> <p>The Panel was informed that Government's broader policy proposal to enhance the AML/CFT enforcement effectiveness was based on the following three building-blocks:</p> <ul style="list-style-type: none">• Extend the civil financial penalties regime available to the Jersey Financial Services Commission (JFSC)• Introduce a bespoke Deferred Prosecution Agreement (DPA) regime• Introduce a Failure-To-Prevent Money Laundering/Terrorist Financing offence (FTP ML/TF).	

28.03.2022

The first of these had already been implemented by the adoption of the draft Financial Services Commission (Amendment No.8) (Jersey) law 202- on 19th January 2022. As regards the second, the Panel was informed that the work was ongoing and it is understood that it was intended to bring a draft law before the States assembly later in 2020. The third of these forms the basis of the proposed Amendment and if adopted, the combination of these three building-blocks would significantly enhance Jersey's overall AML/CFT enforcement effectiveness.

The Panel raised concern that junior members of staff may fall foul of the new regulations and be held liable for something that may not necessarily be within their remit. However, on further discussion, it was informed that this was a corporate offence, aimed predominantly at legal entities but only those which carry out financial services business under the Proceeds of Crime (Jersey) Law 1999. Individuals would only come into scope where an individual itself acts a financial services business under Proceeds of Crime Law, for example an accountant acting as a sole trader.

The Panel learned that there was no limit for the financial penalty and it would be down to the Royal Court to decide on the amount depending on the merits of each case. It was informed that this system was what already exists for all other money laundering offences and had not changed. The Panel also learned that the penalty for breaches relating to money laundering carry a two-year imprisonment with actual money laundering offences carrying a much stronger imprisonment of up to fourteen years.

The Panel was pleased to note that there was no requirement for local Financial Service Businesses (FSBs) to revamp or revise their existing AML policies and procedures as the requirements already exist with FSBs already required to comply. The Panel agreed it would discuss the briefing and inform the officers of the next steps as soon as possible.

Following this briefing, the Solicitor General left the video conference.

2. P.56/2022 Draft Non-Profit Organisations (Miscellaneous Amendments) (Jersey) Law 202-

The Panel received a briefing on the recently lodged P.56/2022 Draft Non-Profit Organisations (Miscellaneous Amendments) (Jersey) Law 202- from officers in the Financial Services Department.

The Panel was informed that the proposed Amendment changes form part of the global standards required by the Financial Action Task Force (FATF) and, the implementation of this legislation is key to the upcoming assessment of Jersey's Financial Services, due to take place in 2023 by MONEYVAL.

The Panel was taken through the Proposition and was informed that the purpose of the Amendment was to grant a new power for the Minister to impose obligations by Order on Prescribed Non-Profit Organisations (NPOs), or NPOs belonging to a Prescribed class of NPOs (the Prescribed NPO Order). The obligations that may be imposed under the Prescribed NPO Order are limited in that they must relate to the interpretive note of the FATF Recommendations and reduce the risk of a prescribed NPO, or an NPO that belongs to a prescribed class of NPOs, being used to assist terrorism or the financing of terrorism or becoming likely to assist or be used to assist terrorism or the financing of terrorism.

The Amendment was due to be debated at the final States sitting on 25th April following which the new Law will come into force by an Order made by the Minister. The Panel was informed that a public consultation was due to take place between May and July of this year with the Order coming into force sometime in September. A Risk Assessment of the NPO sector was currently underway and would be published in April 2022. The aim of the NPO Risk Assessment was to identify the features and types of NPOs in Jersey, which were likely to be at risk of terrorist financing abuse. The Panel was informed that it was the intention that, once the features and types of higher-risk NPOs had been determined, a public consultation would be conducted in respect of:

- Which NPOs or classes of NPOs constitute higher-risk NPOs (to be defined as Prescribed NPOs/Prescribed Class of NPOs)
- The appropriate measures which may be introduced in order to protect Prescribed NPOs / Prescribed Class of NPOs from terrorist financing abuse.

The Panel was aware that although work has begun on the implementation of this piece of legislation, further work would continue throughout the year.

The Panel agreed that it would discuss the briefing and inform the officers of the next steps as soon as possible.

The Panel thanked the officers for their time and they exited the video conference.

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 6th April 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Senator Lyndon Farnham, Minister for Economic Development, Tourism, Sport and Culture [item 1 only] Deputy Kirsten Morel, Assistant Minister for Economic Development, Tourism, Sport and Culture [item 1 only] Richard Corrigan, Director General, Economy [item 1 only] Dan Houseago, Group Director, Economy [item 1 only] Ian Clarkson, Sector Lead, Retail and Visitor Economy [item 1 only] Rebecca Millar, Head of Local Economy [item 1 only] Charlotte Brambilla, Associate Director, Financial Services [item 2 only] Janice Hales, Committee and Panel Officer Theo Stone, Research and Project Officer [item 1 only]

Agenda matter	Action
<p>1. Quarterly Public Hearing with the Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Panel welcomed the Minister for External Relations and Financial Services to a Quarterly Public Hearing. The hearing was recorded and webcast live via Microsoft Teams and a transcript was produced.</p>	
<p>2. P.54/2022 Draft Limited Partnerships (Amendment No. 2) (Jersey) Law 202-</p> <p>The Panel received a briefing on the recently lodged P.54/2022 Draft Limited Partnerships (Amendment No. 2) (Jersey) Law 202- from the Associate Director in the Financial Services Department.</p> <p>The Panel was informed that this was a priority piece of legislation for Government and the Minister as it would deliver important policy objectives. The proposed Amendment would allow the Registrar adequate control and supervision of international finance vehicles structured as limited partnerships, and formed part of Jersey's MONEYVAL assessment. The Panel was also informed of the importance of the amendments being debated by the States Assembly before election 'purdah' period as the finalisation of the draft Amendment would need to be complete by the beginning of February and would have to be submitted for approval by the Privy Council.</p>	

The Panel was informed that consultation had taken place with industry who had been provided with a presentation on the draft Law. The purpose of the consultation with industry was to ensure the policy objectives had been met and there were no unintended consequences caused by the changes.

The Amendments, if adopted would be based upon 4 key policy objectives:

- Update and enhance the LP law to maintain Jersey's competitive position as a leading IFC for fund structures
- Introduce a new improved process for terminating a limited partnership and ensuring the register is kept accurate and up-to-date
- Ensuring the Registrar has adequate control and supervision of international finance vehicles structured as limited partnerships for Jersey's MONEYVAL assessment
- Allow for future changes to the LP Law to be made by way of secondary legislation to enable quicker legislative change to meet the needs of industry

The Panel was informed that further changes could be considered once the draft Amendment Law had been passed as it would enable more changes to be made by way of secondary legislation.

The Panel agreed that it would discuss the briefing and inform the officer of the next steps as soon as possible.

The Panel thanked the officer for their time and they exited the video conference.

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 7th April 2022

Present	Deputy David Johnson, Chair Senator Steve Pallett
Apologies	Deputy Steve Luce, Vice Chair
Absent	
In attendance	Dan Marcos, Head of International Compliance Matthew Waddington, Senior Legislative Drafter Charlotte Martin, Legislative Drafter Peter Longstaffe, Assistant Legal Adviser Janice Hales, Committee and Panel Officer

Agenda matter	Action
<p>1. P.53/2022 Draft Sanctions and Asset-Freezing (Amendment No. 2) (Jersey) Law 202-</p> <p>The Panel received a briefing on the recently lodged P.53/2022 Draft Sanctions and Asset-Freezing (Amendment No. 2) (Jersey) Law 202- from the Head of International Compliance, the Senior Legislative drafter and officers from the legislative drafting team.</p> <p>The Panel was given background for the purpose of the Amendment and was informed that when the United Kingdom (UK) left the European Union (EU), it had to change certain legislation which relied on EU membership. Jersey also agreed to change its legislation in certain areas to mirror this and reviewed it against the technical requirements of the Financial Action Task Force (FATF) Recommendations 6 and 7.</p> <p>The Panel was informed that the Sanctions and Asset-Freezing (Jersey) Law 2019 and the Sanctions and Asset-Freezing (Implementation of External Sanctions) (Jersey) Order 2021 (the "Jersey Sanctions Order"), which is made under the Sanctions Law, are the Island's key pieces of sanctions legislation, under which it implements all United Nations (UN) sanctions and autonomous UK sanctions. The purpose of the Amendment was to improve Jersey's compliance with the Technical Compliance (TC) requirements the FATF Recommendations, either through amendments to existing provisions or by adding new provisions.</p> <p>The Panel was taken through the key changes to the Law which included:</p> <ul style="list-style-type: none">• Owned, Held, Controlled, Direction and Indirectly• Proposals for Terrorist Asset-freeze Designations• Civil Immunity• Powers to Amend by Ministerial Order	

07.04.2022

- Implementation of Exceptions and Grounds for Sanctions Licences
- Meaning of Terrorism and Related Terms
- Automatic Terrorist Asset-freeze Designations
- De-designation Terrorism Asset-freeze by Ministerial Order
- Expanded Reporting Obligations in Respect of Attempts to Breach or Circumvent Sanctions

The Panel was informed that a new Article would be inserted into the Law which would require the Minister to publish a statement of procedure for the functions under each of the new Articles, starting no later than the end of 2022 and then publishing any subsequent changes. It was further informed that the Minister must also seek to agree a Memorandum of Understanding (MoU) with the UK Government about coordinating the Minister's activities under certain new Articles with the UK's activities, under their equivalent functions. If a memorandum was agreed, the Minister must publish it and any subsequent changes.

The Panel asked how these Amendments would affect the current sanctions being undertaken on companies and individuals as a consequence of the crisis in the Ukraine. The Panel was informed that these Amendments would have no impact on what is currently ongoing and pre date the Ukrainian crisis. The purpose of these Amendments was to ensure technical compliance with the FATF regulations.

The Panel agreed it would discuss the briefing and inform the Head of International Compliance and the Senior Legislative drafter of the next steps as soon as possible.

The Panel thanked the attendees for their time and they left the video conference.

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 8th April 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer [item 2 only]

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meetings held on 10th March and 11th March 2022 [public and private].	
2. Seasonal Workers and the Rural Economy The Panel noted the recently circulated draft of its report and following discussion, made amendments to the draft. The Panel asked that the amendments be made in tracked changes and circulated for further discussion.	JH
3. Regulations for the Licence Application, Production and Export of Medicinal Cannabis on Jersey The Panel noted that, despite numerous follow up emails, it had not received the Ministerial Response from its report which was due on 22nd February. The Panel recalled the recent public hearing with the Minister for Economic Development, Tourism, Sport and Culture where this was discussed and noted that the feedback from the Minister and the officers towards the Panel's report was positive. It also recalled that during the hearing it was informed that the Ministerial Response was currently with the Law Officers, who were looking into the Panel's report in more detail, with a view to advising the Minister on acceptance of further recommendations.	
4. Technology Accelerator Fund P.75/2022 The Panel recalled the recent briefing it had received on the Technology Accelerator Fund and the recent letter it had sent to the Minister for Economic Development, Tourism, Sport and Culture, expressing its concerns as to the lack of communication and involvement the Panel had received from the Department to date. The Panel was informed that the Corporate Services Scrutiny Panel had sent a letter to the Chief Minister asking for the proposition to be withdrawn and the Panel agreed that it supported this stance.	
5. Legacy Report	

08.04.2022

<p>The Panel was informed that the legacy report was in the process of being drafted and discussed areas that it would like to have within the report as suggested work areas for follow up by the incoming EIA Panel. The Panel agreed on:</p> <ul style="list-style-type: none"> • Jersey Aircraft Registry • Licensing Law • Inspiring Active Places – Jersey Sports • Heritage and Culture • Medicinal Cannabis • Island Identity <p>The Panel also agreed that should further areas arise; these would be communicated to the officer for inclusion in the report.</p>	JH
<p>6. Recently lodged Propositions for Financial Services</p> <p>The Panel recalled the recent briefings it had received from officers within the Department of Financial Services and agreed it would present comments on the following propositions:</p> <ul style="list-style-type: none"> • P.51/2022 Draft Proceeds of Crime (Amendment No. 7) (Jersey) Law 202- • P.56/2022 Draft Non-Profit Organisations (Miscellaneous Amendments) (Jersey) Law 202- • P.53/2022 Draft Sanctions and Asset-Freezing (Amendment No. 2) (Jersey) Law 202- <p>It was agreed these would be circulated in draft for consideration in time for the due debate date of 25th April 2022.</p>	JH
<p>7. Request for Information on LLC's from States Member</p> <p>The Panel noted it had been asked for all correspondence relating to the recently approved proposition on Limited Liability Companies (LLC's) from a States Member. The Panel was informed that all public correspondence, including minutes, had been forwarded to the member however, there was one private minute which had not been released. The Panel was further informed that the information contained within the unreleased private minute was now publicly available, following approval of the proposition. The Panel agreed that no further work would be required at this stage.</p>	
<p>8. Future Meetings</p> <p>The Panel noted its next scheduled meeting would be held on 22nd April via Microsoft Teams at 10am.</p>	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 11th April 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair Senator Steve Pallett
Apologies	
Absent	
In attendance	Janice Hales, Committee and Panel Officer

Agenda matter	Action
1. Seasonal Workers and the Rural Economy The Panel discussed and approved the final draft of its report and asked that it be forwarded for presentation, together with the approved press release.	JH

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 13th April 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Deputy Carolyn Labey, Minister for International Development Simon Boas, Executive Director, Jersey Overseas Aid Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Quarterly Public Hearing with the Minister for International Development The Panel welcomed the Minister for International Development to a Quarterly Public Hearing. The hearing was recorded and webcast live via Microsoft Teams and a transcript was produced.	

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 22nd April 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meeting held 28th March, 6th and 7th April 2022.	
2. Regulations for the Licence Application, Production and Export of Medicinal Cannabis on Jersey The Panel noted it had not yet received the Ministerial Response which was due on 22nd February 2022. The Panel requested that a formal letter be drafted asking for an update. The Panel also requested that the letter inform the Minister that an urgent question would be raised at the next States sitting asking for reasons for the further delay should the Ministerial Response, in its current format, not be received.	JH
3. Seasonal Workers and the Rural Economy The Panel noted confirmation of its letter sent to the Minister for Social Security in response to her request for the Panel's report to be withdrawn. The Panel agreed it would await the Ministerial Response from the Minister, which was due on 6th May 2022, before making any further decisions, if any.	JH
4. Technology Accelerator Fund P.75/2022 The Panel noted it had not yet received a response from the Minister for Economic Development, Tourism, Sport and Culture to its letter dated 30th March 2022. The Panel also noted that the Corporate Services Scrutiny Panel had presented comments to the proposition which was due for debate at the final States sitting on 25th April.	
5. Legacy Report The Panel was informed that its legacy report was due to be completed and would be circulated shortly.	
6. Future Meetings The Panel noted its next scheduled meeting would be the final scheduled meeting of this term of office and would be held on 6th May 2022 at 10am via Microsoft Teams.	

22.04.2022

Economic and International Affairs Scrutiny Panel

Record of Meeting

Meeting held by video conference

Date: 6th May 2022

Present	Deputy David Johnson, Chair Deputy Steve Luce, Vice Chair
Apologies	Senator Steve Pallett
Absent	
In attendance	Janice Hales, Committee and Panel Officer Ben Walker, Research and Project Officer Rosalyn Sharp, Research and Project Officer

Agenda matter	Action
1. Records of Meetings The Panel approved the records of its meetings held on 8th, 11th, 13th and 22nd April 2022.	
2. Regulations for the Licence Application, Production and Export of Medicinal Cannabis on Jersey The Panel noted receipt of the Ministerial Response from the Minister for Economic Development, Tourism, Sport and Culture on 27th April 2022. The Panel also noted the Minister had accepted 9 recommendations from a possible 24 with 2 partially accepted.	
3. Seasonal Workers and the Rural Economy The Panel noted receipt of the Ministerial Responses by the Minister for Home Affairs on 30th April 2022 and the Minister for Social Security on 4th May 2022. The Panel noted that the Minister for Home Affairs had rejected all three of its recommendations with the Minister for Social Security rejecting all two plus a rejection of one of the findings.	
4. Regulation of Jersey Estate Agents The Panel noted receipt of the Ministerial Response on 25th April 2022 from the Minister for Economic Development, Tourism, Sport and Culture, which 'Noted' all 17 Key Findings, 'Deferred' Recommendations 1 to 9 and 'Accepted' Recommendation 10.	
5. Technology Accelerator Fund P.75/2022 Following the approval of P.75/2022 by the States Assembly, the Panel noted the recently presented Press Release from the Chief Minister announcing the establishment of an Oversight Group for the fund.	
6. Legacy Report The Panel noted presentation of its legacy report dated 4th May 2022.	

7. Any Other Business	
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The Panel noted that this was its final scheduled meeting, and the Chair thanked his Panel colleagues and Panel officers for their input and work during the term.	
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