

# Economic Affairs Scrutiny Panel

## PUBLIC MEETING

### Record of Meeting

Date: 8th November 2010

Meeting 69

Present	Deputy M.R. Higgins, Chairman Deputy C.F. Labey, Vice-Chairman Deputy J.M. Maçon
Absent	Deputy S. Pitman Deputy D.J.A. Wimberley
In attendance	Mr. T. Oldham, Scrutiny Officer Mr. D. Scott, Scrutiny Officer

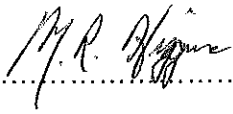
Ref Back	Agenda matter	Action
	<p><b>1. Records of Previous Meetings</b></p> <p>The Panel approved the record of its meeting held on 4th October 2010, which was signed accordingly.</p>	
	<p><b>2. Forthcoming Propositions</b></p> <p>The Panel noted forthcoming propositions lodged <i>au Greffe</i> by the Minister for Economic Development between 29th September and 27th October 2010.</p>	
	<p><b>3. Ministerial Decisions</b></p> <p>The Panel noted Ministerial Decisions made by the Minister for Economic Development between 29th September and 27th October 2010.</p> <p>With regard to Ministerial Decisions relating to Regulation of Undertakings applications, the Panel agreed to request the Economic Development Department to provide additional detail to the information currently contained in the publicly available Ministerial Decision summaries.</p> <p>The Panel further agreed to request the Economic Development Department to provide an outline summary of the nature of the two private Ministerial Decisions that it had been asked to sign confidentiality agreements for prior to release to the Panel, in order that it could be more informed as to why it was being asked to sign those agreements to assist its decision making on the matter.</p>	<p>TO</p> <p>TO</p>
04/10/10, Item 4 515/15(8)	<p><b>4. Chairmen's Committee</b></p> <p>The Panel noted the Briefing Notes of the Chairmen's Committee meeting held on 28th October 2010. Regarding the Jersey Post and Competition Sub-Panel Review, the Chairman advised that although he agreed that the underlying message in the Briefing Notes reflected the Committee's concern over the merit of continuing the</p>	

	Review in view of recent developments, he had a reservation over the precision of the wording. He advised that he would raise the matter with the Chairmen's Committee.	<b>Chairman</b>
<b>04/10/10, Item 5 515/20(8)</b>	<p><b>5. Intellectual Property</b></p> <p>The Panel considered and approved draft comments for presentation, along with its adviser's report and subsequent comments, to the States in advance of the States debate on the <i>Intellectual Property (Unregistered Rights) (Jersey) Law 201-</i>, which had been lodged for debate on 30th November 2010. The Panel also approved the final invoice submitted by its adviser, dated 25th October 2010.</p>	<b>TO</b>
<b>04/10/10, Item 6 515/19(8)</b>	<p><b>6. Airport and Harbours</b></p> <p>The Chairman updated the Panel about the progress of the Review. He informed the Panel that the draft Terms of Reference for the Review had been considered by the Chairmen's Committee. It had agreed that some areas would be more appropriately undertaken by the Comptroller and Auditor General, and that the Public Accounts Committee Chairman would contact him accordingly to request that he examine those matters. The remaining Terms of Reference would continue to be used by the Sub-Panel for its Review.</p> <p>The Chairman also advised that Deputy D.J. De Sousa and Deputy T.A. Vallois had informed him that they would not be able to participate on the Sub-Panel, and therefore its membership would be comprised of himself as Chairman and Deputy M. Tadier.</p> <p>The Panel agreed that it would request from the Economic Development Department an up to date Harbour master plan and the records of any formal and informal discussions that had been held in relation to that process.</p>	<b>TO</b>
<b>04/10/10, Item 7 515/21(8)</b>	<p><b>7. Jersey Post &amp; Competition</b></p> <p>The Panel was informed that the Sub-Panel had met on 5th November to consider the next steps of its Review, and had agreed that there were a number of reasons that warranted its continuation. The Sub-Panel had agreed that it would seek to find suitable dates for further Public Hearings to be held with the following stakeholders:</p> <ul style="list-style-type: none"> <li>• Minister for Treasury and Resources</li> <li>• Minister for Economic Development (JCRA)</li> <li>• Jersey Competition Regulatory Authority</li> <li>• Jersey Post</li> </ul> <p>The Panel considered the context of the JCRA having issued licences to Hub Europe and Citipost the previous month, the Chairmen's Committee's concerns over the merits of therefore continuing the Review, and the impact on Panel resources of continuing the Review beyond its original target completion date. In the absence of the Sub-Panel Chairman and Vice-Chairman to discuss these matters, the Panel agreed that it would request the Sub-Panel to stop further work until such discussions had taken place.</p>	<b>TO</b>
<b>04/10/10, Item 8</b>	<b>8. Sunday Trading</b>	

515/3(12)	<p>The Panel was updated about the progress of the Regulations relating to <i>Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010</i>. The Economic Development Department had indicated that the draft Regulations would not be available until completion of ongoing Law Officer's work, but that the Panel would be forwarded a draft at that point. It was unlikely that the Regulations would be debated by the States in 2010, particularly as the Department was mindful when considering its timeframe, of the possibility of the Panel undertaking work on those Regulations.</p>	
04/10/10, Item 12 515/18(8)	<p><b>9. Rural Economy Strategy</b></p> <p>The Panel received an update from the Sub-Panel Chairman regarding the progress of the Review. Its report, SR11/2010 had been presented to the States on 14th October 2010, and it was noted that the report had received considerable and sustained media attention since its presentation. The Sub-Panel would meet again upon receipt of the Official Ministerial Response, which was due by 25th November 2010.</p>	
04/10/10, Item 13 515/3	<p><b>10. Woolworths</b></p> <p>The Panel considered the possibility of undertaking work relating to the concerns raised both directly to it and indirectly to the Chairman by Members of the public, about insolvency legislation and other matters related to the case of Woolworths. The work would include holding meetings with certain stakeholders to gather information and obtain a better understanding of the issues.</p> <p>The Panel was reminded by the Officer of its remit to undertake Reviews on matters relating to areas that were the responsibility of the Minister for Economic Development, and that there may be a question as to whether the issues raised by the Woolworth's case, particularly those relating to the Viscount's Office and any associated Court judgements, fell within that remit.</p> <p>The Panel was further advised that undertaking the required Scoping process and drafting of Terms of Reference for its work, which should be Review based, would appear to be appropriate at this stage irrespective of the scale of that Review. This would assist amongst other things with identifying any risks, constraints, objectives and resources.</p> <p>The Panel agreed that it would not undertake scoping or draft Terms of Reference at this stage, but instead that the Chairman would speak informally to certain stakeholders about their concerns and key issues and report back to the Panel on those conversations.</p>	Chairman
	<p><b>11. Future Reviews</b></p> <p>The Panel recalled that at its previous meeting the Chairman had proposed that it should give consideration to a Review relating to Jersey Finance Ltd.</p> <p>In addition to Jersey Finance Ltd, it was proposed that further consideration should be given to Reviews of lawyer's cartels and event led tourism. The Chairman advised that in view of his association with the Jersey International Air Display he would withdraw from a Review of event led tourism, should one be</p>	

	undertaken.	
	<p><b>12. Future Meetings</b></p> <p>The Panel agreed to request the attendance of the Minister for Economic Development at a Quarterly Update Public Hearing, forming part of its meeting scheduled to take place on 22nd November 2010, 9.30am in Le Capelain Room, States Building.</p> <p>The Panel noted the apologies of Deputy Labey for the meeting on 22nd November, as she would be part of an Overseas Aid delegation in London that day.</p> <p>It was further agreed that the Panel's following meeting would be scheduled to take place on Monday 24th January 2011, at 9.30am in Le Capelain Room, States Building.</p>	<b>TO</b>

Signed



Date:

22-11-2010

.....

Chairman,  
Economic Affairs Scrutiny Panel