

Economic Affairs Scrutiny Panel

Record of Meeting

1st April 2015

Present	Connétable J.E. Le Maistre, Chairman Deputy S.M. Brée, Vice-Chairman Connétable M.J. Paddock Deputy D. Johnson
Apologies	
Absent	
In attendance	Mr. M. Orbell, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of meetings</p> <p>The Minutes of the meeting held on 18th March 2015 were approved and signed.</p>	MO
<p>Item 2 18.03.15 515/31</p>	<p>2. Ports of Jersey Incorporation</p> <p>The Panel considered various points arising from a private briefing the previous week with the Comptroller and Auditor General, and initial comments from the advisers. Members agreed that based on discussions so far, governance of the incorporated body raised some concerns. The draft Memorandum of Understanding (MOU) recently received appeared to be largely copied from that previously used for the incorporation of Jersey Telecom, concerning which the Comptroller and Auditor General had made a number of recommendations for improvement in her report 'The States as Shareholder: Jersey Telecom' (R.109/2014). However, it appeared that few of the recommendations had been acted upon, so weaknesses identified in that MOU would carry over to the new incorporation unless action was taken. There were also concerns about the level of support available within the Treasury to perform the shareholder role effectively. The Scrutiny Officer was asked to obtain a copy of a report on 'best practice' shareholder models commissioned by the States from Deloitte accountants in 2010.</p> <p>It was suggested that one possible way forward to avoid delaying the debate could be to amend the draft law to ensure that States approval was required for the MOU; this could allow the law to be debated, but without coming into effect until subsequent approval of a suitably amended MOU. It was noted that any amendment would have to be lodged within two weeks to meet the deadline for the debate. In the first instance the Scrutiny Officer was asked to contact the advisers for their comments as to whether this approach was considered feasible, and could offer sufficient safeguards.</p> <p>The Panel also discussed possible arrangements for public hearings.</p>	<p>MO</p> <p>MO</p>

	<p>The Chairman agreed to invite interested members of the Comité des Connétables to meet the Panel from 9.30am on 16th April 2015. Representatives of clubs and associations would be invited to attend a public hearing at 11.00am. The Scrutiny Officer was asked to send an invitation to all groups which had responded to the initial letter from the Chairman. The Panel noted that some members had been contacted by individual club members expressing concerns about the proposals.</p> <p>The Scrutiny Officer was asked to arrange further hearings with members of the Shadow Board, the Group Chief Executive and other officers of Ports of Jersey, and the Ministers for Treasury and Resources and Economic Development to take place on 22nd April.</p>	<p>JLM</p> <p>MO</p> <p>MO</p>
<p>Item 3 18.03.15 515/1/1(3)</p>	<p>3. Cyberbullying and harmful online communications</p> <p>Members considered an approach from the Chairman of the Education and Home Affairs Scrutiny Panel to the Chairman on this subject. It had been suggested that as this potential review topic referred to criminal offences it should perhaps be considered by that Panel, or possibly by both Panels on some form of shared basis. It was noted that the topic had been referred to Economic Affairs as it was being led by the Assistant Minister for Economic Development as part of his remit for telecommunications. Members agreed that as the department's Green Paper consultation had only just opened it was too early to come to any conclusions, but if the Education and Home Affairs Scrutiny Panel wished to submit any comments to the consultation there would be an opportunity to discuss how any potential review should be arranged subsequently. The Chairman agreed to pass on the Panel's views to the Chairman of the Education and Home Affairs Scrutiny Panel.</p>	<p>JLM</p>
<p>Item 4 18.03.15 515/1/1(6)</p>	<p>4. Quarterly public hearing</p> <p>The Panel noted various topics proposed by the Chairman for a quarterly public hearing with the Minister for Economic Development, together with suggested questions. Some additional topics were discussed, and members agreed to look at the overall list with a view to adding further questions. The Scrutiny Officer was asked to invite the Minister to a public hearing on 6th May, being the first convenient meeting date following the planned debate on the Ports of Jersey Incorporation.</p>	<p>JLM/ SB/MP/ DJ MO</p>
	<p>5. Forthcoming meetings</p> <ul style="list-style-type: none"> • Next scheduled Panel meeting: 9.30am on 16th April 2015, Blampied Room, States Building 	<p>MO</p>