

4.7 Deputy P.V.F. Le Claire of the Chief Minister regarding representation at the World Trade Organisation:

What action, if any, is the Chief Minister taking to address the infringement of constitutional responsibilities by the United Kingdom to the Crown Dependencies, acknowledged in paragraph 86 of the House of Commons' Justice Committee's "Eighth Report of Session 2009-10", through the ceding of representation at the World Trade Organisation to the European Union when Jersey is not a member of the E.U. (European Union)?

Senator T.A. Le Sueur (The Chief Minister):

The Justice Select Committee noted in their report that in the case of the World Trade Organisation the U.K. is represented by the E.U. and does not send a delegation of its own and that therefore the Crown Dependencies remain unrepresented in that forum. It is, of course, correct that the European Commission nowadays represents all E.U. Member States, including the U.K., in negotiations at the World Trade Organisation. However, membership of the World Trade Organisation does not currently extend to either Jersey or Guernsey. When the agreement to establish the World Trade Organisation was signed in 1994 only the Isle of Man had in place necessary intellectual property legislation to meet the requirements of the trade-related aspects of intellectual property rights or T.R.I.P.s as it is known, and so World Trade Organisation membership was only extended to the Isle of Man of the 3 Crown Dependencies. That remains the position today and so the matter raised by the Justice Committee does not currently affect us. In order to address the position we shall need to update our intellectual property laws - our T.R.I.P.s laws - and that is something which we have been pursuing for some time now.

4.7.1 Deputy P.V.F. Le Claire:

That was very interesting. I wonder then if the Chief Minister can tell us what is the actual timeframe for this in relation to us taking ourselves and our representations to the bodies that are making decisions that might affect us in the future and what other likely implications are there now that the United Kingdom has ceded more of its authority to the European Union will there be for Jersey in the future?

Senator T.A. Le Sueur:

As to the second part, although the involvement of the E.U. may have less influence from the U.K. the E.U. does contend to represent the interests of all countries in Europe and in this matter it is not a contentious issue and that is why the E.U. speaks with one voice for the whole of Europe. As far as the timeframe for ourselves is concerned we had originally put the T.R.I.P.s legislation into the current year's legislation programme, however as a result of debate in the Business Plan last year that was deferred in exchange for some other legislation which Members considered more important and so the timeframe really depends on the enthusiasm of Members to pursue this particular aspect of the legislation. Maybe in the current Business Plan we can reinstate that and take it forward at an early time.

4.7.2 Deputy P.V.F. Le Claire:

Can I ask that the Chief Minister does in fact do that because I think it is important for us to ourselves on the international stage in these areas and I would welcome and support the Chief Minister in any attempts that he has in doing this and congratulate him for that suggestion?

Senator T.A. Le Sueur:

I am pleased to hear that support. I hope it will be maintained at the time of the Business Plan debate.