

STATES OF JERSEY



DRAFT SEX OFFENDERS (JERSEY) LAW 2010 (APPOINTED DAY) ACT 201- (P.175-2010): COMMENTS

**Presented to the States on 6th December 2010
by the Minister for Treasury and Resources**

STATES GREFFE

COMMENTS

The Minister for Treasury and Resources is strongly supportive of the wishes of the Minister for Home Affairs to implement the decision of the States to introduce the Sex Offenders (Jersey) Law 2010. He is aware that the Minister for Home Affairs brings the Appointed Day Act with the full intention of ensuring States members are aware of the financial implications should they approve the proposition. For the sake of complete clarity he does, however, wish to reiterate to States members the two financial risks relating to introduction of the Law from 1st January 2011.

1. Funding for 2011 is dependent upon approval by the Minister for Treasury and Resources (under Article 15(1)(b) of the Public Finances (Jersey) Law 2005) of requested carry forwards for the Home Affairs Department of £97,200 (on behalf of all departments incurring costs in 2011). The Minister for Treasury and Resources confirms that if sufficient unallocated unspent funds are available he will approve this request. Available funds will, however, need to be prioritised against other calls on that funding. Members should also note that any corresponding Court and Case Costs in 2011 are currently unbudgeted and that calls will need to be made on contingencies for any costs incurred.
2. Funding for 2012 and beyond is dependent upon a growth request of £884,000 (of which £700,000 is for Court and Case Costs) in the 2012 Annual Business Plan. This request is currently supported by the Council of Ministers and included within broad spending limits proposed in P.157/2010 Expenditure Proposals for 2012 and 2013 and Draft Budget Statement 2011 but ultimately the States will decide whether to approve this request as part of the 2012 Business Plan.

Should the States approve the introduction of the Law from 1st January 2011 and either of the funding risks outlined above materialise, then the Minister for Treasury and Resources would, in the first instance, expect any additional expenditure to be absorbed within the cash limits of those departments incurring the additional costs. Should this not be possible, however, the Minister undertakes to discuss the matter with his fellow Ministers and consider an alternative source of funding from within existing approved budgets.