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By email

2nd December 2024

Dear Chair,

Public Hearing

Thank you for your letter of 21st November, in which you ask for responses to the follow-up questions from our recent quarterly hearing. I have set out answers to each of your questions below in turn:

Agricultural Loans Scheme

- 1. The Panel notes that the Agricultural Loan scheme re-opened earlier this month, can you confirm how many expressions of interest have been submitted thus far?*

As of 25 Nov 2024 - Jersey Business (JBL) has received 17 Expressions of Interest for the Agricultural Loans Fund (ALF). They have hosted 3 Information Sessions (with 1 more scheduled) - with 50 attendees, demonstrating a considerable appetite for investment in this sector. These sessions are designed to enable potential applicants to come in and meet the team, understand the eligibility criteria, the scope of the ALF as well as the application process. With 50 attendees, we are expecting to receive more EOI's.

- 2. The Panel notes that Jersey Business is managing the application process, please can you specify its duties and confirm what oversight is in place?*

A robust process has been deployed to manage Agricultural Loan applications, aiming to:

- Provide a gateway to agricultural loan information support through the JBL website
- Verify the eligibility of applicants and projects
- Advance and support eligible businesses with a robust application to a Business Health Check and appropriate KYC
- Implement a thorough independent financial review, outsourced to a locally based qualified accountancy practice
- Engage with the Rural Economy team within GoJ (who will also engage Treasury) to provide comment
- Ensure all documentation is ready to be submitted to the Agricultural Loans Board

The Agricultural Loans Board has been re-established to provide programme and process oversight and Governance. This Board meets quarterly to review applications and put forward recommendations to myself as Minister (and for loans over £150,000 to the Minister for Treasury and Resources as well).

The process for applications has been designed between JBL and the Rural Economy team - with engagement with other GoJ stakeholders and sector specialists where appropriate.

Weekly meetings are currently in place between the JBL Business Support Team and the Rural Economy team, to keep GoJ updated on the pipeline of applications, review and update the process, and discuss any queries on eligibility.

- 3. Is it your intention to collect feedback on the application process? And, if so, how will this be reviewed and implemented moving forward?*

Having already adopted and embedded systems and processes to capture, share, and action on feedback across all its engagement, Jersey Business naturally extends this to the Agricultural Loans Fund project. This includes:

- Surveys distributed to Information Session attendees capturing NPS and CSAT measurements (to ascertain how satisfied they were with the event)
- an opportunity to complete the same feedback survey for applicants attending a 1-to-1 meeting with a member of the Jersey Business team
- Close engagement with key stakeholders including the Chamber of Commerce and Jersey Farmers Union.
- Jersey Business proposes to run a wrap-up session at the end of the projects, inviting input and feedback from a broad representation of applicants and stakeholders.

- 4. When do you expect the first loan to be issued?*

The Panel will be aware that I signed a Ministerial Decision on 25th October 2024 to provide a loan of £570,000 to Woodlands Farm Ltd. The Oversight Board will be meeting again later this year with further loans expected to be approved for successful applicants in early 2025.

- 5. How will the outcome of loan decisions be communicated to applicants?*

As the final decision is made by the MSED, the loan decision will be communicated to applicants by the Department for the Economy by the Rural Economy Team.

- 6. Will there be an appeals or reapplication process available?*

The Regulations do not include an appeal mechanism as such but applicants can reapply where there is a material change to the project or where there is a material change to factors that may influence the decision.

- 7. Can you confirm when the independent board members will be appointed to the Advisory Board?*

An Interim Board has been in place prior to the appointment of the programme Advisory Board in December 2024 to support the development pre-launch with the new board being engaged in the process build in advance of the inaugural Board meeting.

- 8. Do you know when the Advisory Board is due to meet to review the first round of applications?*

The Agricultural Loans Board is scheduled to meet Monday 16th December – however this will depend on applicants being ready with all of their work completed and reviewed in time for

submission to the Board ahead of this date. Board meetings will be held quarterly; however the second meeting has been scheduled for January 28th to provide a second opportunity for any applicants that might miss the December date.

9. *Is it still your intention to revise the primary legislation to include fish farming in your legislative programme for 2025 and can you provide more clarity on the timeframe for this workstream?*

That is correct. We have requested drafting time within the 2025 legislative programme to amend the legislation to allow for the inclusion of all fishing businesses.

Cyber Defence (Jersey) Law

10. *Can you update the Panel on the current status of the amendment to the Cyber Defence (Jersey) Law?*

Based on feedback from key stakeholders, amendments have been made to the policy intent to enable the inclusion of Non-Ministerial bodies within the scope of law, for example, within the requirement to report significant cyber incidents. Amendments are currently being reviewed by law drafters.

11. *Can you confirm that the planned third consultation has taken place and provide any detail on the responses received to date?*

The feedback from the extended consultation in March-April 2024 has been taken into consideration and has resulted in amendments. It is proposed that the final draft will be shared with key stakeholders and the Panel before lodging.

Jersey Cyber Security Centre plans to hold a number of workshops with each sector of Operators of Essential Services to develop the required guidance needed for businesses to support their compliance with the requirements of the Cyber Security (Jersey) Law 202- when it becomes enforceable. These will be planned once a copy of the final draft law is available.

12. *Is it still your intention to lodge the amendment by the end of the year, as committed to in our previous hearing?*

Some of the amendments have taken time to develop an agreed policy direction due to various legislative and constitutional requirements that need to be taken into account. Officers have been advised by the Legislative Drafting Office this week that the remaining changes on the Cyber Security (Jersey) Law 202- have been designated as an amber priority and therefore law drafting time will be limited for the remainder of this year. Officers are awaiting further information from the LDO to understand what impact this will have on the timeline for this legislation.

13. *When can the Panel expect to receive the final draft?*

The Panel can expect to receive the final draft of the Cyber Security (Jersey) Law 202- early 2025. Officers are willing to provide the Panel with a private briefing when the final draft of the Cyber Security (Jersey) Law 202- is agreed.

14. Can you confirm whether a final decision has been made regarding the timeframe for the reporting of incidents?

The current draft of the Cyber Security (Jersey) Law 202- has a reporting timeframe of 48 hours for cyber incidents that have happened and that have had or likely to have a significant impact on the continuity of the essential service. The policy intent is to reduce this to 24 hours after 1 year of enactment. This is to enable Operators of Essential Services to adjust to their legal obligations.

15. Has progress been made on the definition of the operators of essential services?

Based on feedback received during the consultation in March-April 2024, definitions of operators of essential services have been reviewed and amended where necessary in the current draft of the Cyber Security (Jersey) Law 202-.

16. When can businesses impacted by this amendment expect to receive educational support or additional related information?

It is proposed that the enactment date for the Cyber Security (Jersey) Law 202- will be determined by the Minister when lodged. It is currently proposed that the clauses imposing obligations on Operators of Essential Services will become enforceable 3 months later. This will provide sufficient time for Jersey Cyber Security Centre (JCSC) to publish the required guidance for each Operators of Essential Services. JCSC will support the enactment of the new Cyber Security (Jersey) Law 202- with targeted communications activities.

17. How do you anticipate the staffing and resourcing of the Jersey Cyber Security Centre to be affected by the Law's implementation?

Currently, it is not anticipated that the staffing and resourcing of the JCSC will be significantly impacted by the Law's implementation.

The Panel have also requested a number of pieces of additional information which I have set out below, specifically:

- Jersey Business guidelines and governance procedures for the Social, Environment Economic Enterprise Pathway

The scoring guidelines for the SEE Pathway are appended to this letter for reference.

An officer oversight group consisting of representatives from Jersey Business, the Charity Commission, Customer and Local Services and the Department for the Economy will be responsible for shortlisting and selecting the initial pilot projects and reporting back to the Minister.

- A copy of the Digital Economy Strategy and an updated actions list identifying progress made

This has been appended to the letter.

- Any information on the number of Jersey retail businesses that have opened and closed in the past 12 months

The Statistics Jersey Labour Market Information [Labour Market June 2024.pdf](#) identified 860 retail undertakings as of June 2024. The same [report for 2023](#) records approximately 3 of the total 890 retail undertakings in June 2023. There has therefore been a net decrease of 30 retail business in the 12 months preceding June 2024.

- The purpose of ambulatory referencing in regard to the implementation of the International Maritime Organisation's Instruments.

The purpose of ambulatory referencing is to enable the automatic introduction of future amendments to the IMO Instruments that Jersey is signatory to.

Ambulatory referencing is required as part of this law drafting work due to the volume of historical amendments to the IMO Instruments that are applicable to Jersey, which are not currently reflected in our legislation. Furthermore, the likely rate of new amendments to these instruments is such that Jersey's maritime administration would have insufficient capacity to operate on an opt-in basis, meaning an opt-out basis is more time efficient and easier to manage.

The ambulatory referencing will be on the basis that any future amendments will be reviewed by the Territorial Sea Coordination and Advisory Group (TSCAG) and that recommendations of the Group regarding each change will be submitted to the Minister for Sustainable Economic Development for review, approval and notification to Scrutiny.

I hope the above information provides clarity to the areas you have raised.

Yours sincerely,



Deputy Kirsten Morel
Minister for Sustainable Economic Development