



Economic and International Affairs Scrutiny Panel

Quarterly Hearing

Witness: The Minister for Sustainable Economic Development

Thursday, 3rd October 2024

Panel:

Deputy M. Tadier of St. Brelade (Chair)

Deputy K.M. Wilson of St. Clement (Vice-Chair)

Deputy M.B. Andrews of St. Helier North

Witnesses:

Deputy K.F. Morel of St. John, St. Lawrence and Trinity, The Minister for Sustainable Economic Development

Deputy M.R. Scott of St. Brelade, Assistant Minister for Sustainable Economic Development

Mr. R. Corrigan, Chief Officer, Department for the Economy

Mr. H. Harvey, Head of Local Economy, Department for the Economy

Mr. M. Dames, Head of Digital Economy, Department for the Economy

Mr. L. Ament, Head of Competition and Intellectual Property, Department for the Economy

[13:07]

Deputy M. Tadier of St. Brelade (Chair):

Minister and your team, you are very welcome to this quarterly hearing. I am Deputy Tadier. I will introduce the panel actually or I will let them introduce themselves. If you do the same for the record and for those who are listening. We are being live streamed and recorded.

Deputy K.M. Wilson of St. Clement (Vice-Chair):

Deputy Karen Wilson, vice-chair of the panel.

Deputy M.B. Andrews of St. Helier North:

Deputy Max Andrews, panel member.

The Minister for Sustainable Economic Development:

Deputy Kirsten Morel, Minister for Sustainable Economic Development.

Assistant Minister for Sustainable Economic Development:

Deputy Moz Scott, Assistant Minister for Sustainable Economic Development.

Head of Digital Economy, Department for the Economy:

I am Mark Dames. I am head of Digital Economy within the Department for Economy.

Chief Officer, Department for the Economy:

Richard Corrigan, chief officer, Department for the Economy.

Head of Local Economy, Department for the Economy:

Heath Harvey, head of Local Economy.

The Minister for Sustainable Economic Development:

In the back we have Lukas, who is here. He leads on competition.

Deputy M. Tadier:

Great, thank you.

The Minister for Sustainable Economic Development:

Lukas will step forward when needed.

Deputy M. Tadier:

Great, thank you for that. Just to clarify, this is obviously the Economic and International Affairs Scrutiny Panel. We have these hearings every quarter with yourselves and, as we remarked earlier, they come around quickly. So welcome and thank you for making the time. We know you are all busy. We are going to start off the hearing looking at the theme related to the Air Display but also we are going to look at other events that happen in Jersey and maybe what your involvement is with those and what the funding mechanisms and any grants are around that. Could you outline to us the current grant scheme for the Air Display funding as it currently stands?

The Minister for Sustainable Economic Development:

Yes, so the Air Display has had approved, and I assume received, £40,000 of funding from the department. There is no standing order, so to speak, for the grant, so the Air Display has to, like all events to be honest, reapply every year for that grant. This year, the base funding was £40,000, which had been the same last year and the year before. In previous years I had ... because the Air Display came to us at the last minute, similar to this year, saying that they needed more; so last year they received an extra £20,000 on top. But this year, because it is really difficult to deal with those last-minute requests, I had made it very clear: "Look, here is your £40,000. I am really pleased for the Air Display to go ahead, but we would really like you to seek ways of raising funding yourselves." That could be through commercial, whether it is plots for stalls, et cetera, or any other means. We obviously received more ... we received and it was publicly known that we received requests late on for extra funding. But I really wanted to put that pressure to get the Air Display to raise its own funding too. To their absolute credit, they did the crowdfunding, which proved to be extremely successful. I did have a conversation with one of the organisers, not former Deputy Higgins, but somebody else. It was actually another former Senator. I had said to them in the week or so beforehand that we will not let this display not go ahead. But please do carry on with your crowdfunding, and it proved that the crowdfunding worked. So I had given an assurance that we would not let it fail.

Deputy M. Tadier:

Do you know how much was raised through the crowdfunding?

The Minister for Sustainable Economic Development:

It was about £30,000, £31,000.

Deputy M. Tadier:

Let us go maybe back one step. First of all, on balance, do you think the Air Display is a good thing for Jersey, certainly in terms of the economic offering and the tourist offering?

The Minister for Sustainable Economic Development:

I have always personally been a fan of the Air Display, ever since I was a young child, and engaged with the Air Display as a young child and the excitement of the Air Display. So I have always had a fond place in my heart for it. I do think there is an element of modernisation that could be brought to bear around the Air Display. I think, at the end of the day, I am seeing a very similar display now to what I was seeing ... to be honest, even when I was that 10 year-old child, it has not changed very much. Obviously the world of aviation does change constantly. I do think there is a role for modernisation and that is really the kind of pressure that I was trying to bring to bear. I think the crowdfunding was an innovative and modern way of raising funding for it, and that showed it. From the economic perspective and the tourist perspective - I know there have been various reports, I do

not think there has been anything which is particularly recent - I have to say that I am not entirely sold on the idea that it brings large amounts of visitors to the Island. I think the Air Display is primarily viewed by and enjoyed by Islanders.

Deputy M. Tadier:

Do you think there is an argument to say that it contributes to the offering when people are on-Island? So even if people are here, there is something for them to do?

The Minister for Sustainable Economic Development:

Definitely. This is what I mean about the modernisation side. I think it has the potential to be an event which draws significant numbers of tourists to the Island. But I think in order to do that we need to be marketed appropriately, and to market it you have to have an event which really strikes a chord with people outside of Jersey. I have lots of warm feelings towards the Air Display but I am an Islander; that is not going to sell any tickets to Jersey. What we really need is an Air Display which speaks to people from outside the Island who have no prior knowledge of the Air Display but see that and think that is a reason to come or if they are already here that is a really good thing that we can enjoy.

Assistant Minister for Sustainable Economic Development:

I just thought I might add, just also to give some credit to the organiser, that they have sought for feedback on social media. They have got a survey and I think that is a really positive thing. One change that the Minister perhaps has not mentioned is that we do not see so much of the Red Arrows these days and that is to do with the timing. But really would encourage people to give that feedback; it is really good to see that engagement.

The Minister for Sustainable Economic Development:

If I can also just add in, because I think ... it is interesting, I was asked to compare in the media ... before the Air Display I was asked to compare the Battle of Flowers and the Battle of Britain and I said in many ways that they are not comparable events, and I stand by that. But where they are comparable is they were both previously on a Thursday; Jersey's historic day off. One thing I would say is when it comes to modernisations, I do think there is a strong ... or I have a belief that actually the Air Display could well be a much better and bigger event were it to be held at the weekend rather than the middle of the week.

Deputy M. Tadier:

Do you think there is an argument that says that ... I mean, part of the tradition of it, the fact it has not changed - I think we used to call it the Battle of Britain when I was young - the Air Display was a recreation of the 1940s battle that took place. Do you think that a lot of people maybe come back

to Jersey expecting that same thing, a bit like the Battle of Flowers? They say: "We come to Jersey, we always come in August or we come in September to watch the Battle" and they might expect a certain brand of product.

The Minister for Sustainable Economic Development:

I think it is interesting you put it in terms of brand and product because I think that is absolutely right, but the success of any brand is that it develops over time and so you keep your core but you develop around that core, and that brand can then modernise and move into the future. Let us take putting it on a Saturday or Sunday instead of on the Thursday. I do not think that that is going to affect the brand in any way in a negative sense but it would quite potentially make it a much more accessible event for all Islanders as well as visitors. So that would be, I think, a really clear way of modernising the display without affecting its brand in any way. It is really important to keep a brand. It does not necessarily have to be the Battle of Britain,. We sit here today hearing awful news about wars and fighting going on around the world.

[13:15]

I am not sure that a militaristic element to the Air Display is the element that people want. I think an Air Display has a part of escapism as well and just admiring and beholding. The military side of it, in this day and age, might be something that perhaps does not strike such a chord. Whereas modern aircraft, sustainably fuelled aircraft or prototypes, that sort of thing, talking about the future rather than the past, I think could be much more grabbing for Islanders. That is a terrible word. But grab their attention, and not just for Islanders. But I do want to say, as I said before, credit to the Air Display organisers. They did modernise in different areas and I really look forward to talking to them about further modernisations and how they are going to take it into the future.

Deputy K.M. Wilson:

Can I just ask: do you envisage setting up any similar grant schemes for other events? You did mention the affinity to the Battle of Flowers, but what about things like the Battle of Flowers, the boat show, music events, all of those sorts of things?

The Minister for Sustainable Economic Development:

They all get funding in different ways and from different parts. We try to operate a very open door policy about events and events funding. We have some money set aside for events funding and we do not have any particular ... we do not sit at the beginning of the year and say: "We will only do this, this and this." Jersey needs to innovate - constantly needs to innovate - and that is the same with events. I really want people with new ideas to come forward but what we will expect is a business case to back up the event if it is to get funding directly from Government. We also fund other

organisations such as ArtHouse Jersey. They also fund events and the Arts Centre does as well. There are different ways to access funding from Government and I do not know if Heath ... I know Heath spends a lot of time working through business cases, et cetera, and working with events' organisers to enhance that business case. I do not know if there is something you might want to say about the strength of business cases and the importance of a business case that speaks to Government in different ways.

Head of Local Economy, Department for the Economy:

Yes, absolutely. So we are looking for that alignment with the Ministerial delivery plan, the Common Strategic Policies, and the Government. We are all very clear that good events create vibrancy in St. Helier, keep young people on the Island, et cetera. So we look at these events through different lenses. We do not want all of our events to be sports events or all of our events to be music events, but a nice blended mix across the piece. As the Minister has already said, the arts, culture and heritage budget support a lot of organisations who in turn put events on in their respective parts of that spectrum. Then we have our events budget within the department, which is open to people to approach us and say: "We want to put this type of event on" and we will look at it strategically. We ideally would like the budget request to be something that tapers year on year so rather than getting bigger every year and the reliance on the department getting greater year on year, we want to help stand these events up. What we are looking for at the outset is for them to be financially sustainable at a certain point so that we ... from a limited events pot, if somebody's grant is getting smaller year on year it is freeing up budget for new events to approach the department and say: "We want to put something else on" and instead of us saying at the start of the year: "Sorry all of our budget is committed", we are able to say: "Well actually this event has a reducing budget this year, which is making budget available for new things to come along and be supported."

Deputy K.M. Wilson:

Is that a message to the Island and to interested parties about bringing forward new ideas, new kinds of event proposals, and trying to actually encourage diversity of the kind of events in the Island that you have historically supported over time?

The Minister for Sustainable Economic Development:

I could not have put it better myself; that is exactly right. One of the things that concerns me is that as an Island we get stuck on particular events. Chair, you mentioned tradition, so it is a traditional event, we have got to keep supporting. Do not get me wrong, the Battle of Flowers is a really important event. The Battle of Britain has become a significant event, and I have got no problem continuing to support them. But we do need an ecosystem which encourages innovation. Otherwise there is no chance for new thoughts and new ideas to come through. One thing I am absolutely committed to is we need an Island where young people look at the Island and say: "I can have an

interesting career here, I can have an interesting social life here” and that, in Jersey’s case, because events do not require permanent foundations in terms of buildings, et cetera, events are a really important way for us to put on different events that speak to particularly young Islanders and help them say: “This is an exciting place that I want to go to.” So you need that, you do need innovation, and if we are always just funding exactly the same events all the time, then there is no innovation. So we are trying to find a way to innovate.

Assistant Minister for Sustainable Economic Development:

In fairness there has been diversity. We have got the skateboard sessions, the surfing championships and the Corn Riots.

Deputy K.M. Wilson:

Would you consider things like trade fairs or international sponsorship for events? Minister, I have been speaking with you about particular interests that an Island has got to develop an international programme around fashion and design. Is that the kind of things that you are interested?

The Minister for Sustainable Economic Development:

Absolutely. I mean we are agnostic and because it is not down to the Minister to have the ideas. One of the things I love about economic development is the ideas come from the Island and Islanders. I want us to be able to enable those ideas. Jersey has to be an exciting place, an idea-generating place, people need to try those ideas. If they work, that is fantastic, they can work with them and grow the idea. If they do not work, then they need to be able to say: “Okay, that did not work, we will think about a different one next time” and there should be no shame about an event not working. What I want is Islanders to be able to try and ... Deputy Scott is absolutely right. We have such a range of events from film festivals through to farmers markets through to the La Saison Française and then the Jersey Tattoo Convention, which again speaks to the ... you were saying industry events, things like this. So it is an absolutely wide range but where they can bring over tourists and support the visitor economy, it is a big benefit.

Deputy K.M. Wilson:

In terms of your processes, is it because of the processes that you have got that people may feel unable to come forward with some ideas? Would you be proposing things like tender processes or something like that where you can actually put an idea out there or you could put a message out there to say we are attracting interest and variety and that this is the clarity of purpose in terms of the process that people need to go through.

Head of Local Economy, Department for the Economy:

The process is very straightforward. We have created a dedicated grant application page online. We have a window in which people can submit their application. When the window closes we will then review those applications. We will put those applications through a scoring matrix in which there are criteria. So we are looking for how that event aligns to our C.S.P. (Common Strategic Priority) and other Island-wide objectives. Then we make a decision and we notify the applicants. "You have asked for X. We are going to give you three-quarters of X" or whatever. So it is really transparent. The sign above the door says: "We are open for business and we are open to approaches." We are talking about 2 issues here. We are talking about ... well, not issues. Two areas, the arts, culture and heritage area, and then the events. They do overlap with each other. Just this month, we have launched a new dedicated public event grant application. This is for non-music, and it replaces a more generic initial grants application form. We are trying the whole time to demystify the process, make it simple for people who have got a good idea to bring it forward to the department and we will look at it objectively and strategically and hopefully be spending taxpayers' money on good quality outcomes being driven from these events rather than perhaps whoever shouts loudest gets to access the pot. We want to be objective and look at a bunch of applications in a window and sift them in an intelligent and articulate way so that the best things get supported with the department's limited funding.

Deputy M. Tadier:

Just to give a counterpoint of view, I think while the crowdfunding might have been good from a point of view where it gives diversification of the funding mechanism, I could not help feeling that there was an element of ... it seemed like desperation. So a layperson looking at the headlines saying: "Oh, the Air Display yet again, we are not sure if it is going to go ahead this year" and they are now having to crowdfund for an event which people I think feel is in the calendar already and does bring in an element of tourism to the Island. Do you accept that there is that perception sometimes about why is there uncertainty. We do not seem to get uncertainty about the Battle of Flowers necessarily going ahead but we ...

The Minister for Sustainable Economic Development:

There has been, I think, in the past, around the Battle of Flowers. There has not been recently. But again, we were presented with a very strong business case from the Battle of Flowers as to how they would develop. We have seen - all of us have seen with our eyes - how the Battle of Flowers has modernised in the last 2 years. That in itself is breathing new life into the event. From the Battle of Britain, there are 2 sides. Obviously, I get lots of requests for funding in all sorts of different ways. One thing I do see is ... I think it is really important, if you are holding an event, you have a budget and you spend within your budget. So if you know that you are getting £40,000 from Government, that should be in your budget. I do not think there can ever be an expectation that Government will come in at the last minute because you have gone beyond your budget. This is what I mean about

the Air Display also needing to look at other ways of raising funding through commercial, through tie-ups, et cetera. The crowdfunding, if that had been started earlier there would have been less of a sign of desperation, as you put it, Chair. The crowdfunding is genuinely a good idea. They could have been running that from much, much earlier in the year. I think it is really incumbent, and what I want to try to dissuade any events' organisers from doing is thinking that last-minute requests put Government into a position where they feel by popular demand they have to come up with the money. If you are running an event, it is like running a business, you have a budget, you are set with that budget and you have to operate within that budget. If every event comes up with last-minute requests for funding, then the Government is unable to, and we as a department are unable to, manage our budgets appropriately. Also, you then have the issue of those who have managed their budgets appropriately receiving less because they are not shouting at the last minute. So it is about trying to encourage a way of organising your event and knowing what the budget is. Enterprise is enterprise, An event is a form of enterprise and it is incumbent on the organisers to think about different ways they can raise funding for their event. I do not think it is right just to rely on Government.

Head of Local Economy, Department for the Economy:

If you are a well-established event like the Air Display, like Battle of Flowers, there is no reason by now - quarter 4 of the preceding year - you should not be in a strong place to submit a business plan for the following year's event, set a budget, set yourself sponsorship targets, other revenue targets, and come to Government with a coherent plan as to the level of funding you would like Government to put in to help the event go ahead. That is what we would hope to see, a better organised events community that can come forward and present their events in a really compelling way and they can get the funding support from Government early rather than coming in at the end and saying: "We need emergency funding otherwise it does not go ahead."

Deputy M. Tadier:

Thank you. Just very quickly can I ask someone to put the lights on? I am normally the one who switches the lights off but I think we do not want to be kept in the dark today. I will pass over to Deputy Andrews.

Deputy M.B. Andrews:

Thank you, Chair. Thank you, Minister, for being in attendance today. I just want to ask you, to begin with, how much support has been given to the creators of "Bergerac" and what was the process that officers and yourself undertook in granting such financial support?

The Minister for Sustainable Economic Development:

I will start at the beginning about what the support was and then we will talk about the process. Again, it is quite a complex method of support. The total Government of Jersey commitment is £1.2 million, of which £450,000 is a grant. Of that funding, we are expecting £650,000 to be spent by the production company on-Island. We are having those accounts audited independently, and I believe money is paid out after we receive those audited accounts, not before.

Deputy M. Tadier:

So when you say £450,000 is a grant, is the £750,000 remaining a loan then?

The Minister for Sustainable Economic Development:

No, it is not as simple as that, and I wish it were. It is much more complex than that and it is possibly the sort of thing that would be better taken offline.

Deputy M. Tadier:

But a grant is giving away basically no strings attached, but if the £750,000 is not a loan, do we get that back?

The Minister for Sustainable Economic Development:

I believe there will be the potential to get all of that £750,000 back but not necessarily all of it; it depends on the performance of the production itself.

Deputy M.B. Andrews:

“Bergerac”, the TV series, I take it is on a TV channel that is not a mainstream TV channel that is accessible for all viewers?

[13:30]

The Minister for Sustainable Economic Development:

No, it is absolutely accessible to pretty much all viewers, as I understand it. It is not mainstream in the sense of it is not BBC One, BBC Two, ITV, Channel 4 or 5. It is not one of those 5 channels. But it is on Freeview and accessible in that sense. You do not have to pay to receive it directly. Because that has been one of the concerns, and it was one of my concerns, this is not going straight to BBC. The truth is “Bergerac” has to prove its value in that respect, and I think we have already seen so. Just this morning BBC Breakfast featured a 5-minute segment on the reboot of “Bergerac”. The channel that it is on does have links with the BBC. It is not a channel completely devoid of links to the BBC, and I would not want to missay, so I do not want to say exactly how it is, but I believe the BBC has an interest in that channel. So hopes of it being sold on, I think, are quite high, and certainly international sales are quite high. But the fact that Jersey had 5 minutes about “Bergerac”

on BBC Breakfast this morning with 1.5 million viewers shows immediately the kind of strength that this channel does have.

Deputy M.B. Andrews:

As you mentioned, Minister, about the monies potentially returning to the Government, is there anything in particular that you have in mind to maybe do something with those monies, maybe for culture or other aspects under your Ministry?

The Minister for Sustainable Economic Development:

That remains to be seen. It depends how much comes back. Some of it will be ... we are also able to recoup some money through international sales. So there is a proportion of international sales. Ordinarily Richard would know better than I but ordinarily that money would go straight back into central Treasury, I believe. So we need to have conversations about whether we can recoup some of that directly for arts and culture or not. But the money, I think, would be paid directly to Treasury.

Chief Officer, Department for the Economy:

Yes.

Deputy M.B. Andrews:

Thank you very much, Chair.

Deputy M. Tadier:

Yes, I was going to ask actually, just on those figures, so it is 12.5 per cent of the international sales that will come back to the Government of Jersey, is that right? And is that capped?

The Minister for Sustainable Economic Development:

It is after the first round of international sales. The first round, the production company itself has sole cause. It is on the second round that ...

Deputy M. Tadier:

When does the first round finish?

The Minister for Sustainable Economic Development:

I could not tell you when the first round finishes. I think it is far too early to say.

Deputy M. Tadier:

The first series, for example.

The Minister for Sustainable Economic Development:

I think you would need to speak to a TV producer who knows that international market much better than I do.

Deputy M. Tadier:

It sounds like it is the re-run, so any re-runs potentially. We can ask about that. Okay, good. By the way, it looks like ...

Head of Local Economy, Department for the Economy:

We have sent Peter a link to share with the panel to this morning's news. It was more like 10 minutes, I think, Minister. It shows the Island off in fantastic light.

Deputy M. Tadier:

That is good. I think the positive side of the story is very well known. It might interest you that I came across a tourist a couple of weeks ago who specifically came over ... a German tourist with his wife, because they had seen the original "Bergerac" series and they wanted to come to Jersey. But I guess the question in turn is for us to look at the economic value in hard terms, so the bottom line what is being put in and what do we get back out, rather than just maybe the good feeling or the anecdotal business that we get from it.

The Minister for Sustainable Economic Development:

I think straight away a 5-minute or 10-minute piece on BBC has value financially. We have not worked that out. I have not sat down and worked out what that value is, but immediately you are seeing a return coming back.

Deputy M. Tadier:

I think there is a great deal of public interest in this, so while there might be elements which are confidential, which you might be able to share with the panel, I think as much information as you can put out in terms of what we have invested and what we will get back would be appreciated. Do you think that is something you could do in due course?

The Minister for Sustainable Economic Development:

Yes, I certainly can, absolutely. Obviously it is always difficult because there will be parts of the ... I am just trying to get more information about the ... there will be parts of the agreement which are not divulgeable, but basically next year we will be paying out £700,000, so my department will be paying out £700,000 next year and then £300,000 the year after with Visit Jersey putting in £100,000 in each of those years. Like I said, there has been a commitment to £650,000 spend on-Island by the production company. So immediately, that £1.2 million that we are putting in, we are seeing

£650,000 come straight back to the Island's economy from it. That leaves you with £550,000 deficit, so to speak. Four local apprentices are being trained on the production. I spoke to some of those local apprentices when they were over here, and they were not just training on the Jersey part, they were training for the whole production. Those 4 apprentices have been - speaking to the person that I was - in different roles across the whole 14-week production in the U.K. (United Kingdom) and in Jersey, learning the skills of what it is to be in a major TV production.

Deputy M. Tadier:

Is there any thought being given to maybe the long-term synergy? If I take the original "Bergerac", as an example, we know that John Nettles remained a friend of Jersey and then when the "Living Legend", for example, was still active, it was him who was narrating, I think, the main story of Jersey there. Has there been any thought about creating that kind of Bergerac Jersey experience which might in future generate added value to the Island?

The Minister for Sustainable Economic Development:

We have not thought about that. That would be something perhaps worth thinking about.

Deputy M. Tadier:

I think we can carry on there, thank you. Let us go on to question 6. This is a different area, so we are going to talk about the Competition Law, if that is okay. Can you update the panel as to the progress of the amendments you are anticipating for the Competition Law?

The Minister for Sustainable Economic Development:

I have just in this week signed off on the consultation for the Competition Law; so it is a public consultation. That will be taking place imminently. That follows an earlier consultation that was carried out in 2023 on the rationale. Of course, I would be more than happy to share that consultation paper with the panel, and officers will be happy to provide a briefing in the future. The proposed amendments aim to ensure that the competition framework supports business innovation and growth, helps keep prices down and looks after the interests of consumers. Those are the main kind of areas.

Assistant Minister for Sustainable Economic Development:

It has been discovered that there are certain loopholes that actually might enable certain businesses to get round the law and those will be being closed, but at the same time very much in line with the Minister's ambitions for businesses. There is red tape too. One of the types of changes to ensure that you do not have a situation which we currently do have, if you have got a business that has, say, 40 per cent of the market share in the Island and it decides to diversify and maybe somebody is retiring and says: "Oh, how about you go into X, and would you like to buy my business?" They

have to go to the J.C.R.A. (Jersey Competition Regulatory Authority) and get consent, and that is red tape all the way through.

Deputy M. Tadier:

You are saying even if it is not related to the area which might be ...

Assistant Minister for Sustainable Economic Development:

Exactly. Diversify location into a new area. So it is really heartening how many businesses did engage with the previous consultation, and it would be really good to have many more businesses engage in a consultation now, now that we are actually at the point where we are just seeking final views. We hope to get that legislation through the door by the end of the debate by the States Assembly in early 2025.

Deputy M. Tadier:

How long have you been working on the law?

The Minister for Sustainable Economic Development:

It has been ongoing for the past couple of years.

Assistant Minister for Sustainable Economic Development:

Well, 2018 was when we had a consultation and some recommendations suggested so yes, it has had quite slow wheels on this one, unfortunately.

Deputy M. Tadier:

When do you think it will be ready for lodging?

Assistant Minister for Sustainable Economic Development:

As I said, by the end of the year.

Deputy M. Tadier:

Sorry if I missed that.

Assistant Minister for Sustainable Economic Development:

Yes, so hopefully we can be debating it in early 2025.

Deputy M. Tadier:

Okay. At what point do you think you would give us sight of something tangible, if we ...

The Minister for Sustainable Economic Development:

The consultation documents ...

Head of Competition and Intellectual Property, Department for the Economy:

Yes, thank you, Chair. We shared the consultation paper with Peter earlier today, so that should land in your inboxes very shortly.

Deputy M. Tadier:

In terms of the draft, I am talking about. When do you think ...

Head of Competition and Intellectual Property, Department for the Economy:

The draft law?

Deputy M. Tadier:

Yes.

Head of Competition and Intellectual Property, Department for the Economy:

It is with you as well, so once you have had a chance to review that, we are very happy to come back to you for a detailed briefing on that.

Deputy M. Tadier:

Thank you. That is on the work list then. Thanks for that. Good. The panel understands that the proposed changes will update the way that the J.C.R.A. can undertake market studies as well. Have you got anything to tell us about that area?

The Minister for Sustainable Economic Development:

Yes, one of the things it does is it enables the Minister to initiate a market study. At the moment, the Minister is only able to request the J.C.R.A. to do a market study and I think sometimes, politically, there has been a desire among Ministers - not just me, but previous Ministers - to more directly enable a market study to happen. It also gives the J.C.R.A. the power to compel information, whereas at the moment the J.C.R.A. can only request information from businesses that are subjects of that market study. I think that is really important as well because it is definitely, in my view, a flaw in our current regime where J.C.R.A. may choose to do a market study into any sector, but then if businesses do not want to take part in that, they can choose not to take part in that, in which case, obviously, the effectiveness of the insights delivered by that market study are limited. So it enables the compelling of information.

Deputy M.B. Andrews:

Minister, I know you have mentioned about Ministers previously, and potentially even yourself, maybe feeling there is a need to conduct some research in a particular area of the economy, and I would just like to know: was there any point in time that you would have liked to have seen research be conducted in a particular area of the economy, but due to how things are run that could not take place?

The Minister for Sustainable Economic Development:

I will be frank, yes. I will tell you where in a sec. Obviously, when a Minister is choosing to use the new powers, should the States Assembly accept, the Minister has to be cognisant of the capabilities and the workflow of the J.C.R.A. itself. The Minister has to consult with the J.C.R.A. as well to make sure it is something that they can undertake; so what I am about to say needs to be seen in that context as well. But I have been wishing to have a market study into the construction sector for quite some time now, counted in years from the point when I was chair of the Scrutiny Panel as well, so going back some years. For various reasons - often due to workload and things like this - it has not been possible for the J.C.R.A. to undertake that; they now have started that, so I am very pleased. But that particular example gave me the insight which made me realise that I think perhaps the Minister does need some power to be able to have a stronger conversation with the J.C.R.A. about undertaking certain market studies. Is there anything from your perspective?

Assistant Minister for Sustainable Economic Development:

Just the changes that we are proposing are cognisant of the need for the Regulatory Authority to stay independent, but then - as you may appreciate - sometimes yes, the political element is such that you have got many people who are saying: "Really, really, you need to have this looked into." And it is useful to have that Ministerial influence to that extent. We are looking forward to the panel reviewing it and letting us know what you think.

Deputy M. Tadier:

Okay, thank you. Now, we will.

Deputy K.M. Wilson:

Just to be clear, you said that the J.C.R.A. would have formal information-gathering powers under your new proposals; are you able to outline what protections that will include in order to ensure that there is sufficient protection of some of the confidential or commercially-sensitive information that will emerge from this?

The Minister for Sustainable Economic Development:

I will ask Lukas to come in on this. Obviously the J.C.R.A. always acts in a way which maintains confidentiality.

Assistant Minister for Sustainable Economic Development:

I was going to say it is covered, but Lukas will probably ...

Head of Competition and Intellectual Property, Department for the Economy:

Thank you, that is a really important question, which we were aware of. In the Competition (Jersey) Law 2005 there are general provisions and protections of business and confidential information, and such protections would equally apply in the context of a market study. So businesses would be able to indicate that certain types of information - while the J.C.R.A. could compel that information - should not feature in a public report.

Deputy K.M. Wilson:

Does that include being able to obtain information stored on a computer or to enter premises when doing those studies?

Head of Competition and Intellectual Property, Department for the Economy:

No, not enter premises, no. It would be a simple information gathering empowerment. There would be no dawn raids, for example, in the context of a market study. That is clear, yes.

Deputy K.M. Wilson:

Sure. Okay.

Assistant Minister for Sustainable Economic Development:

At the same time, it does need to be able to compel information to a certain extent, otherwise it has got no teeth whatsoever.

Deputy K.M. Wilson:

Yes, so we would expect to see some definition of what "compelling information" is?

Assistant Minister for Sustainable Economic Development:

Yes.

The Minister for Sustainable Economic Development:

Yes, absolutely.

Assistant Minister for Sustainable Economic Development:

That is where Scrutiny is useful because ...

Head of Competition and Intellectual Property, Department for the Economy:

Precisely. We are of course happy to come back but, for example, the law contains a definition of what is relevant information and what the J.C.R.A. may require, but at a later stage we are very happy to provide more details.

Deputy K.M. Wilson:

Thank you. Minister, could you tell us what will be the remedial actions undertaken following any market study?

The Minister for Sustainable Economic Development:

Well, that would always depend on the market study and they could be wide and varied. Without having a particular market study in front of me, it would be difficult to say; really difficult.

Deputy K.M. Wilson:

Do you envisage that you will have a role in terms of ensuring actions are undertaken, should they be recommended?

The Minister for Sustainable Economic Development:

Yes, and we already do. I think of the freight and logistics review that was undertaken. The J.C.R.A. came out with recommendations around that, such as having a freight corridor between the harbour and Rue des Pres. That was an action that Government, facilitated by the Infrastructure Department, has undertaken to do. There is no question, we already do have a role in taking forward recommendations. Because recommendations could be almost anything, it is unlikely that all the recommendations will always fall to Government. They may fall to industry bodies, they may fall to businesses, but there is no question in my mind now, under the existing regime and going forward, Government will always have the potential to play a role in undertaking recommendations and doing work to ensure that J.C.R.A.'s findings are acted upon.

[13:45]

Deputy K.M. Wilson:

Thank you.

Assistant Minister for Sustainable Economic Development:

Just to say that the Minister will be obliged to respond to their report; that is part of the law.

Deputy K.M. Wilson:

Thank you.

Deputy M. Tadier:

Do you want me to carry on, Max?

Deputy M.B. Andrews:

I will indeed. Minister, I note that the Competition Regulatory Authority is an independent body itself, but obviously it is accountable to you, as Minister. Then we have got the Jersey Financial Services Commission as well. Do you think there are maybe one too many bodies in that respect, and could it be a case of they would be amalgamated potentially one day?

The Minister for Sustainable Economic Development:

Interesting question. I do start from the perspective of it is not the numbers that matter, it is the functions that matter. So the question is: what functions do we want undertaken by any given set of bodies? Then, what is the best way to divide those functions up? Are there commonalities which mean that some should fit in one and not in another? Interestingly, on the example of the Financial Services Commission and the competition regulator, I think they probably do sit best apart and not together. The competition regulator has a much wider remit across the whole economy, rather than just financial services. Also, Financial Services is very much the regulator of those particular laws which pertain to financial services; J.C.R.A. is a completely different set of laws and also works in a very different way. So, my sense would be that those 2 are best kept apart, but I am always open to the ideas of bringing bodies together, whether they are regulatory or other bodies. I think Government should always be testing are the functions that we want to be carried out being carried out in the most efficient way and most effective way possible, from a cost-effectiveness perspective? I think it is difficult, because we do say regulators must be independent. To some extent, I think the changes to the statistics will show this. A regulator has to be independent, but they are accountable to the Minister in whatever area they are regulating. They are also operating within the Island and the body politic of the Island, and so I think the important thing is that the Minister does not interfere with the operations of that regulator, but the Minister always has to be able to ask questions about the effectiveness, about the spending of money, about the way that regulatory body is operating at a high level. What must not happen is me as Minister going in and saying: "Oh, by the way, I do not think you properly looked at this business here." That is wrong and the Minister has to stand away from that and let the regulator do their work unfettered.

Assistant Minister for Sustainable Economic Development:

I think though that the Minister would encourage increased productivity as much as possible, so things like having regulatory authorities and arm's length organisations consider things like shared premises and that sort of thing, which could help productivity; I am sure he would welcome.

The Minister for Sustainable Economic Development:

Yes.

Deputy M. Tadier:

Can I ask a question that is related to mergers? Taking it in a slightly different direction, but one of the perhaps more notable mergers that has happened in terms of public interest in 2022 is that of the *Jersey Evening Post* and *Bailiwick Express*, which did need to get approval from the J.C.R.A. Now we have got a situation where those 2 entities are owned by the existing shareholders of *Bailiwick Express*. There are clearly interests in that which are above commercial interests, and elsewhere that would be dealt with, I think, by a different regulator; it would probably go to Ofcom, I would have thought. First of all, is that an area of interest for you, Minister, in terms of whether control of the media and who has a big market share - potentially a monopoly - in certain areas of the media, is more than just something that would necessarily be dealt with by a competition regulator?

The Minister for Sustainable Economic Development:

I think it is a really good example of how the competition regulator has a particular remit. It is looking at competition; that is its primary remit. I have asked, and I do believe the law does seek a way to expand that a little bit so it can look beyond pure competition. I think the media is a really good example, because I am an absolute believer in the freedom of the media; I think healthy and diverse media is vital to any society. I hope in my dealings with media - and journalists may be listening and may disagree - but I hope they do not; I genuinely seek to engage. I think they have got an absolute right to be able to engage with the Island's politicians, and I support that.

Deputy M. Tadier:

Do you think too much of a monopoly in certain ... do you think there is a potential risk?

The Minister for Sustainable Economic Development:

There are definitely potential risks around monopolisation in the media, but what I would say is that ... and I absolutely do not want to comment on the example you have given about the *Jersey Evening Post* and *Bailiwick Express* because I am not in a position to comment except as an Islander, not as a politician.

Deputy M. Tadier:

But hypothetically, please.

The Minister for Sustainable Economic Development:

You definitely do not want to see monopolisation of media, but monopolisation of media can come in different ways. I would argue - this is going to be controversial - that the U.K., in terms of newspapers, has a wide variety of newspapers, but actually the majority of those newspapers come from a very similar political viewpoint. So I would argue that there is a certain amount of monopolisation of the U.K. media, because so many come from the same or very similar political viewpoint and other political viewpoints do not have the same airing.

Deputy M. Tadier:

Whereas in Jersey?

Assistant Minister for Sustainable Economic Development:

I think you have got to point out that the J.C.R.A. looks at this not ... it actually promotes competition as much as possible, but it has also got to look at sustainability. If there is a danger you will not have a service at all, then it is better to have a monopoly; so, they do examine that particular side of things. If you are a small jurisdiction with just 100,000 people and you have got only a certain number of people subscribing to a newspaper and there is a danger of it failing, while advertising can be expanded and might sustain it, then you might say it is better to have a situation where those 2 outlets merge, than to have nothing because they just cannot survive.

Deputy M. Tadier:

No, I get that. But I am not sure if that is the case that was being put to them. I suppose what I am asking - and we can come into actually talking about monopolies; that is an area we do want to ask about as well - first of all, will the new legislation take account of that area about the media? Or do you think that is an area which we might need to look at to safeguard the true independence of the media from perhaps monopolies or from commercial interests?

The Minister for Sustainable Economic Development:

This legislation does not specifically speak to the media, so in that sense, no. I think it absolutely would be something worthy of Scrutiny's thinking; there is no question in my mind. I have lived all my life in Jersey, effectively. The concentration of media, even when I was young and a teenager, was something that I was aware of and concerned about in Jersey. So in that sense, I think it is a very valid question that any Scrutiny body or any other body looking at ... it would be a valid thing to look at. I do not want to suggest ... I have not thought about it enough to ...

Deputy M. Tadier:

No, that is fine. As far as the legislation is concerned, that is not a direct ...

The Minister for Sustainable Economic Development:

The legislation does not speak to that.

Deputy M. Tadier:

It does not speak to that.

Chief Officer, Department for the Economy:

The J.C.R.A. can already condition approvals if it is granting what will be a dominant market position to any one player as a result of acquisition, merger or the pre-existing situation of a monopoly. They can condition the approvals accordingly to work in the best interests of the marketplace, whether that is a marketplace for media, marketplace for telecoms or any other service or goods. So they can do that as part of it. If you look at the Airtel and Sure merger, again the J.C.R.A. in granting its approval has made certain conditions upon that approval that will need to be followed through by the acquiring entity.

Deputy M. Tadier:

Okay, thank you.

The Minister for Sustainable Economic Development:

Just quickly on the media as well, I think it is also really important to think the media ... how do you divide it up? Because Jersey has a commercial radio station, the BBC radio station; it has the all-Island print media that you have mentioned, Chair; it also has a commercial TV station. So the media is not just print alone - it is wider than just print - and obviously we have the internet, which has certainly in the past, perhaps to a lesser extent now, but your citizen journalist ideas, bloggers, et cetera. So how you define the media in Jersey will have a huge impact on whether you see monopoly or not. If you can understand what I ...

Deputy M. Tadier:

Yes, I do. Thank you for that. Let us carry on. Do you want to continue with question 12?

Deputy M.B. Andrews:

Yes. Minister, please can you briefly outline what processes of appeals and what compliance measures are proposed to be introduced in the forthcoming legislation that is brought forward to the Assembly?

The Minister for Sustainable Economic Development:

Sorry, could you repeat that please?

Deputy M.B. Andrews:

Okay. Could you briefly outline what processes of appeals and what compliance measures are proposed and to be introduced in the legislation?

The Minister for Sustainable Economic Development:

In the J.C.R.A.? It is best I ask Lukas for the specifics.

Head of Competition and Intellectual Property, Department for the Economy:

In the new Competition Law, there will be no changes proposed to the mechanism for appeals; that will remain the same. One other important rationale of the Competition Law Bill is to introduce a so-called “commitments procedure” that could make the resolution of cases more efficient where the J.C.R.A. has identified competition concerns and then, following a dialogue with the businesses, the businesses agree to change their conduct. So they agree that in the future they will cease certain activity, which means that that addresses the competition concerns and then the J.C.R.A. does not have to take that case further down the formal route and that they can save resource and allow businesses to move forward without going through that formal process, if they are willing to offer commitments which are legally binding to J.C.R.A.

Deputy M.B. Andrews:

Okay, thank you very much, Lukas. You have explained what the new process may look like if the States Assembly approve the proposition, but what is the current arrangement that is in place for, for instance, a business who is under consideration of the Jersey Competition Regulatory Authority?

The Minister for Sustainable Economic Development:

The process for appeals?

Assistant Minister for Sustainable Economic Development:

You mean in terms of appeals?

Deputy M.B. Andrews:

Yes.

Head of Competition and Intellectual Property, Department for the Economy:

If the J.C.R.A. takes a decision, for example, that there has been a breach of the prohibition of anti-competitive arrangements, or dominance abuse, the law provides for an appeals mechanism in the nature of a full merits appeal at the moment.

Deputy M.B. Andrews:

Okay. I think there are probably a couple of things that have to be brought to the public's attention and one of them would be perhaps the confidentiality of certain cases. Of course we have got the J.C.R.A. website and they do publish documents from time to time, so how will you ensure that the J.C.R.A. is doing its job effectively, but also making sure that things are dealt with confidentially as well?

The Minister for Sustainable Economic Development:

Yes. Number one, it is really important to have trust in regulators. They have the technical expertise to undertake the reviews they are looking at. I am surrounded by superb officers who have technical expertise in different areas, but I do not think any of them would say that they have the technical expertise to come to judgment on competition arrangements themselves. So there is a level of trust, and it is one that I do worry about in Jersey; that we sometimes have a very sceptical view of regulators, et cetera ...

Assistant Minister for Sustainable Economic Development:

I am not aware that anyone in the business community has raised a concern about confidentiality leaks in the J.C.R.A. If you are, I am very interested to hear about it, because you have actually got some very professional people of legal backgrounds who really do understand the nature of and importance of confidentiality. Of course that is important to us all and hopefully there has not been a problem, but if there were, of course we would want to.

Chief Officer, Department for the Economy:

The regulator itself is not above the law. It has its own obligations to meet ...

The Minister for Sustainable Economic Development:

I believe the existing law speaks to the importance of confidentiality.

Chief Officer, Department for the Economy:

It does, yes.

Deputy M.B. Andrews:

Currently, just existing in the law, if somebody is unhappy, for instance, with the conclusion ... with the J.C.R.A., is there an opportunity maybe to speak to yourself as Minister before things may potentially take a turn?

The Minister for Sustainable Economic Development:

There is but what I would say is that the J.C.R.A. has a board, and that would be the place to raise it in the first instance. It would be to go to the J.C.R.A.'s board. It has a non-executive board and

then an executive, and so the first place would be to raise it with non-executive directors and the chair.

Deputy M.B. Andrews:

Yes.

The Minister for Sustainable Economic Development:

They would, I have no doubt, look at that very seriously. If it is a matter of confidentiality there is also then the data protection regulator, the information commissioner; they have a role in there as well. So you have these functions which are specifically there for these sorts of things. Of course you can speak to the Minister. As Minister, I would almost certainly have to direct you to the board or the Office of the Information Commissioner in the first instance.

Deputy M.B. Andrews:

Has there been at any point in time the J.C.R.A. have maybe approached you to say: "There is something that is going on and we want to inform you about it, and we want to hold a meeting about this particular case"? Or has that not happened as yet?

[14:00]

The Minister for Sustainable Economic Development:

I do not believe that has happened. I cannot recall at the time where the regulators specifically come to me with: "We are concerned about this particular behaviour." I think it would be more about the J.C.R.A. would launch its own investigation directly itself. I cannot think of any particular time. Just thinking in terms of ...

Head of Competition and Intellectual Property, Department for the Economy:

Not that I recall. I can go back to my records, but not that I recall.

Deputy M. Tadier:

Thanks for that, Deputy. If I could just move things on; it is an important area, but one we will probably come back to nearer the time when we are nearer lodging, maybe for either a public or private briefing. The last thing I will ask on this though is, Deputy Scott raised the area of monopolies versus competition. We are all mindful of that; we are a small Island. Although competition is ideal in many cases, it is not always possible. Are there any areas where you think we are likely to see a gravitation towards monopolies, or are there areas where current monopolies or quasi-monopolies exist that you would like to see more competition in? It is a fairly broad question but ...

The Minister for Sustainable Economic Development:

No, it is a really interesting question. Look at the ferry tender - in a sense, we are creating a monopoly there by offering an exclusive contract to the winner of that tender process. Sticking with transport, we have seen freight ... it is not quite at the monopoly stage, but it has a very large, dominant player in the freight market, hence the J.C.R.A. has looked into that area as well. Obviously, lots of areas such as the existing monopolies that we all know about and we work with in everyday life: electricity, water and so on are those infrastructure monopolies, which I feel have to stay as monopolies in the Island. I think it would not serve the Island well to, for instance, break up the electricity company into a retail and wholesale. I do not think we would get much in terms of winning out of that.

Assistant Minister for Sustainable Economic Development:

I refer you to the panel's Supply Chain Resilience Review report that was published earlier this year, in which you refer to the extent to which there has been analysis at government level of that as a policy issue; it may be something to be explored.

The Minister for Sustainable Economic Development:

Absolutely. I put something out on social media a while ago, and one of the interesting facts of the Island economy recently has been, rather than monopoly, the exact opposite; the Island is now dominated, since 2013, by single-person enterprises. Before 2013, the majority of enterprises in the Island had 2 or more employees; since 2013 it has been and it is still ... single-person enterprises is on a line like this, whereas 2 or more enterprises is flat. So what you have there is almost the exact opposite of monopolies; lots and lots of very, very small enterprises engaging in different areas from construction to ... I was one of those in public relations, in copywriting. I was one of those single-person enterprises. Across the board, you have got a huge amount of fragmentation. As Deputy Scott mentioned earlier, I speak about the desire to improve productivity and one of the ways enterprises can improve productivity is coalescing together. So, sharing the marketing burden, sharing the payroll burden, things like this ...

Assistant Minister for Sustainable Economic Development:

"Mergers" is not a dirty word generally, it is just when it ...

The Minister for Sustainable Economic Development:

"Mergers" is not a dirty word. So I would argue that Jersey could do with a bit more consolidation at the moment; that may well help productivity.

Deputy M. Tadier:

Yes. Let us segue into the ferry tender then, given that you mentioned it earlier. It is very much a monopoly on both routes. Just to contextualise, we had a scenario in the past where there was competition on the southern route - certainly there was car competition - and there is still an element of foot passenger, but that is on a different route. Let us just follow that through. Do you think that, hypothetically, there is room for competition in the ferry market either on part of the route or all of it?

The Minister for Sustainable Economic Development:

If we are talking about routes for argument's sake, Portsmouth - Jersey - Guernsey, St. Malo - Jersey - Guernsey, if we are talking about it from those perspectives, my own belief is that I do not think there is. The reason I say that is because of past experience of trying to have competition on those routes. In my lifetime, that I remember, we have had 2 instances where we have had competition, particularly on the southern route.

Deputy M. Tadier:

Have we ever had competition on the northern route?

The Minister for Sustainable Economic Development:

I do not know that we have. I do not think we have.

Assistant Minister for Sustainable Economic Development:

It is a business that has been set up and ...

Deputy M. Tadier:

One argument that I have heard is that the reason that the southern competition failed is because they only had the southern, so whoever was awarded the contract for north and south could effectively cross-subsidise. So they would make the money on the northern route and run a cheaper service and undercut the competitor on the southern route.

The Minister for Sustainable Economic Development:

I think you will find that what sustains the northern route particularly - actually, all our ferry services - is freight rather than passengers. As we know, the southern route - despite my best efforts to date so far - is not a particularly freight-bearing route, so it relies entirely on passengers at the moment. I still hope that we will be able to encourage freight from the south. But from the north, it is the freight. Again, if you were to then split the freight market into 2 separate ferry providers, so for argument's sake, 50 per cent on each ferry, I think you will find it becomes a very difficult situation to maintain a profitable route.

Deputy M. Tadier:

What if we had new routes? What if we started thinking about not just north and south, but east as well?

The Minister for Sustainable Economic Development:

That is why I started with the definition of what we were talking about, because obviously there is some transportation to the east, currently provided in the main by Manche Iles Express. The numbers on there are not large. I have already been approached by La Manche - with Manche Iles Express - but also other providers or people who would like to set up services to Normandy and inter-island. What I am keen to do is not approach this from a piecemeal fashion of: "Kirsten has got a business; he would like to do Jersey - Sark. Deputy Scott has a business; she would like to do Guernsey - Sark," and have different businesses. I am trying to bring us all together - Jersey, Guernsey, La Manche and those people who would like to set up services - to say: "We need to solve this in the round. We need a picture with regard to inter-island plans, La Manche services, and that route should also ideally include Alderney because the islands have become separated from each other due to, I would say, a decrease in the quality. By quality, I mean frequency, regularity of inter-island services. It is not possible to get to Alderney from Jersey directly any more, but equally we have seen that tail off in the La Manche side of it as well. It is one of the reasons why we really wanted to keep day trippers with their *carte d'identité* being able to come to the Island. I think it will be difficult to sustain those eastern links if we were to lose the *carte d'identité* access to Jersey. I think you would see numbers fall to low minimum viable levels.

Deputy M. Tadier:

That is an interesting area. It is probably slightly outside the remit to talk about the *carte d'identité*, although there is an economic side to it.

The Minister for Sustainable Economic Development:

It is significant. The reason I am so strongly behind wanting to keep it is there is a significant economic impact reason.

Deputy M. Tadier:

It is something I think would be well put to the Minister for Justice Home Affairs. I think there are different viewpoints about what the powers are for Jersey to legislate in this area and what the upside is for that.

The Minister for Sustainable Economic Development:

I think the viewpoint is quite clear. The question is what appetite does Jersey have to stand its ground.

Deputy M. Tadier:

Maybe, because you have whetted our appetite, just tell us before we move on what is your view in terms of what we should be doing with the *carte d'identité*.

The Minister for Sustainable Economic Development:

We should maintain the *carte d'identité* system.

Deputy M. Tadier:

Should we expand it and say that you only need a *carte d'identité* if you come from France?

The Minister for Sustainable Economic Development:

Because of the wider situation in terms of the U.K. concerns about immigration and also the E.U concerns about immigration, I would be content for maintaining it as it is at the moment for a one-day trip at a time. I think pushing it further right now would then create worry in the U.K. about the protection by the southern ... we are their southern border in that sense. What we can do is show to the U.K. that this day-trip situation works. There is no leakage of people from France to the U.K. via Jersey through this day-trip system, therefore you have nothing to worry about.

Deputy M. Tadier:

That does not help the hotels, does it?

The Minister for Sustainable Economic Development:

Expanding it might.

Deputy M. Tadier:

Do you think we could expand it?

The Minister for Sustainable Economic Development:

I would love to but I think there is a reality, which is now would not be the time to expand it. With the E.T.A. (Electronic Travel Authorisation) system and the E.S.T.A. (Electronic System for Travel Authorisation) coming in, I think now is not the time to try to expand. Now is the time to maintain what we have, and so that is the bit I firmly believe we need to maintain exactly what we have today.

Deputy K.M. Wilson:

Minister, building on the discussion in relation to the Jersey-French relationship, can you provide us with your overall vision for this relationship?

The Minister for Sustainable Economic Development:

Yes, absolutely. The overall vision is I would like to see Jersey and Guernsey, the Channel Islands as a whole, become much more integrated into the economy of the Bay of Mont-Saint-Michel. There are many ways of terming that, Bay of Granville, Bay of Saint-Malo, it depends who you are talking to. I will just call it the Bay of Mont-Saint-Michel and by that I mean just trade happening between our islands and La Manche and Brittany and Normandy, supported by a southern supply route. The reasons for that are resilience, number one. At the moment we have one supply chain into the Island. That is not a resilient situation, but it is also to provide greater choice, and that greater choice is in products but also in prices. Also, as I have spoken to people in the food industry, Jersey loses 2 to 3 days of shelf time because of the circuitous route that goods are taking. So a good that comes from Europe via the U.K. to Jersey has less time on the shelves in Jersey than if it was to come here directly from France. That in itself costs Islanders money because it effectively costs the supermarkets money and they then have to put that on to their price as well.

Deputy K.M. Wilson:

Could you just elaborate ...

The Minister for Sustainable Economic Development:

So I want to see us much more integrated. Sorry, we are also doing it for arts and culture, through sport. We had links. We have lost them and I am working to rebuild them.

Deputy K.M. Wilson:

Sorry, I interrupted you. I was just wanting to know if you could just elaborate some more on the economic gains that you would anticipate, and you have identified sport, culture, food and resilience as things. Is there anything else that you think is measurable in terms of economic benefit?

The Minister for Sustainable Economic Development:

There is one huge economic benefit, which is effectively growing your population without growing your population. A really good example of this is Cherbourg. Cherbourg is a town of 100,000 people. The north of Cotentin has about 200,000 people living in it. They do not have particularly great transport links, air transport links. If we were able to have a link between Cherbourg and Jersey that was marketed appropriately, then people could be flying to London via Jersey from that area, clearing immigration here in Jersey, which would be quicker, and jumping on a plane to London. You have expanded Jersey's potential population or the Channel Islands' potential population to up to 360,000 people. It would be a big economic gain. If you look around the whole of the areas of Brittany and Normandy next to us, you can expand that population by many hundreds of thousands of people by tapping into that economy. At the moment we lack scale in every area that we operate in and what I am trying to do is generate some element of scale.

Deputy K.M. Wilson:

There must have been some exploration as to bringing the case for that forward. What would you consider would be the less quantifiable benefits of that?

The Minister for Sustainable Economic Development:

The less quantifiable benefits of that?

Deputy K.M. Wilson:

Yes.

The Minister for Sustainable Economic Development:

Less quantifiable I think would be just the kind of realising our cultural links again. I know, having lived here all my life, that we used to have much stronger links and that made Jersey unique in many different ways. It is what brought tourists from the U.K. to Jersey and I think having really lost a lot of those links has made Jersey less unique and has made Jersey less of what Jersey is. Jersey's future is international, I am really convinced of that. We are an island. We have to be outward looking and Jersey's heritage is the basis upon which all new people to the Island can build their own Island identity but we need to have a distinct and unique sense of heritage and links with the Bay of Mont-Saint-Michel around it.

Deputy K.M. Wilson:

Thank you. The panel understands that you have been making a number of trips to France. Can you tell us how productive they have been? Have you got any more planned and what the purpose is?

The Minister for Sustainable Economic Development:

I will be in France next week, so, yes, definitely planned, and that is for the Normandy Summit next week, which is Jersey, Guernsey and Normandy. At the beginning of September I visited La Manche, invited by the Chamber of Agriculture in La Manche. We went with Jersey farmers. We not only visited different sites but the whole concept of it was bringing farmers together to get to know each other again. Jersey's farming industry used to have strong links with the Normandy farming industry. I was delighted to see them at the Foire de Lessay showing Jersey cows still. They are a breed there, but it was about trying to encourage not just information and knowledge sharing but also to start that trade element as well. Can we be buying from Normandy? Can we be selling to Normandy? In my view, yes, we can but we need to overcome the barriers that have been put in place by Brexit and that is something that I really want to do, but that is a really good example of taking Jersey businesses, which is what farmers are, to Normandy and engaging with their peers and working out from there.

[14:15]

This is not economic but most recently, last week, I visited the Normandie Pour La Paix, which is a forum of peace. It was created by Hervé Morin, the president of Normandy. It is an amazing event, to be honest, where you hear from incredible people. When I went last year with a Guernsey Deputy there were hundreds of French 6-formers attending as well. It was not just politicians and so on. I asked could we bring some Jersey students this year. We took Jersey students via the Youth Service with us as well who, having spoken to them at the end of it, were really pleased and learnt huge amounts. So it is engaging in different ways and there is no question, I do not think - although ask Michael Pearce(?) - I understand that our relationships politically now with Normandy and Brittany are much closer than they were just a couple of years ago, particularly with Brittany.

Deputy M. Tadier:

Was it straightforward to organise that trip for the young people, do you know? Was there a clear source of funding?

The Minister for Sustainable Economic Development:

I am not the best person to ask but I did hear that there was a bit of confusion around funding and for not a lot of funding as well, but I am not the best person to ask. I was not involved in filling out the forms, et cetera.

Deputy M. Tadier:

If you do not mind me cutting in, Deputy, can I ask in terms of the educational links you have been building with France, I understand there is one with the Rennes Business School and there is one with the University of Caen, which you are building on?

The Minister for Sustainable Economic Development:

Yes.

Deputy M. Tadier:

Can you talk to us about ... the question, I suppose, is what interaction is there between you and the Education Department and the Minister for Education and Lifelong Learning? To what extent are you leading on it and do you have the support and blessing of your other Ministerial colleagues to take that work forward?

The Minister for Sustainable Economic Development:

I would like there to be more interaction with the Education Department (CYPES) on this but I was pleased, in response to a question in the States from yourself, that the Minister for Education and Lifelong Learning said that he was happy with the Rennes Business School partnership and would like himself to see it promoted. So I was really pleased with that because, yes, what we have done is set up a memorandum of understanding with Rennes Business School. The question is why Rennes Business School? Rennes Business School features in the *Financial Times* index of best business schools, both global and European, constantly. It is a constant feature in their list, so we know it is a good quality business school but, most importantly, it teaches in English; 100 per cent is in English. It is not English as an option; English is the language of Rennes Business School and so from a Jersey perspective you do not have to speak French to go to Rennes Business School. You can do your studies in English. It is international. There are, I believe, 90 nationalities being taught at Rennes Business School, so it opens Islanders up to the rest of the world. On top of that, the fees are very similar to the fees of the universities in the U.K. I think it is about 9,900 euros a year.

Deputy M. Tadier:

I think you are preaching to the choir here, certainly from my perspective, but in terms of the practical next steps for Jersey students, that is presumably something that needs to be led by the Education Department.

The Minister for Sustainable Economic Development:

It does.

Deputy M. Tadier:

Is that going to happen?

The Minister for Sustainable Economic Development:

Some of it has happened but I think we need to try to ensure that that momentum is maintained. Rennes Business School has come over to Careers and spoken to 6-formers in Jersey to promote itself.

Deputy M. Tadier:

And higher education.

The Minister for Sustainable Economic Development:

And higher education, exactly. But I know we have had talks ... ultimately a partnership like that could extend all the way to Rennes Business School setting up something in Jersey. I should quickly add that it is not just ... and this is a pitch really. It is not just for undergraduates. Rennes Business

School does executive training, masters, M.B.A.s (masters of business administration), so Jersey businesses or business people in Jersey who are seeking an M.B.A. can do that through Rennes Business School as well.

Deputy M. Tadier:

I am sorry I have to reshuffle some questions but I do need to get back to the critical question of the ferry tender. Can you remind us how many companies are currently tendering for that?

The Minister for Sustainable Economic Development:

It is interesting. My notes tell me to be very circumspect about that but I know in the media they have spoken about it. To make sure I do not say anything ...

Deputy M. Tadier:

I feel like there is 3; is that right?

The Minister for Sustainable Economic Development:

That is the kind of number that I have heard, yes.

Deputy M. Tadier:

Is it a secret?

The Minister for Sustainable Economic Development:

It is one of those things. I am going to pass over to Richard so he will ...

Chief Officer, Department for the Economy:

Three companies tendered for the services and we are now at a more advanced stage of procurement.

Deputy M. Tadier:

Also, something that has happened in the meantime is that Brittany Ferries have bought a share - is that right - in Condor Ferries or they have enhanced their share?

Chief Officer, Department for the Economy:

We have been told that they have grown their shareholding in Condor Ferries to 51 per cent.

Deputy M. Tadier:

Okay, and Brittany Ferries were not a separate tenderer? Do we know who the tenderers are? Are you able to tell us?

The Minister for Sustainable Economic Development:

That is the bit I do not think I would be able to say.

Deputy M. Tadier:

Okay, that is fine. We presume one of them is the existing ...

The Minister for Sustainable Economic Development:

I think the picture you have in your head is likely correct.

Deputy M. Tadier:

The company that has been testing its vessels, I think is it DF ... tell us the name of that?

Chief Officer, Department for the Economy:

DFDS.

Deputy M. Tadier:

I get confused with the armchair people but it is not them.

The Minister for Sustainable Economic Development:

I hope not.

Deputy K.M. Wilson:

Comfortable seats though.

Deputy M. Tadier:

Is that related to a tender by them or is it related to someone testing their boats?

The Minister for Sustainable Economic Development:

Sorry, I am just going to pass to Richard, purely to make sure I do not say anything wrong here.

Chief Officer, Department for the Economy:

We have 2 things going on at the moment. We have obviously a tender process for the long-term contract. We also have to keep an eye on contingency arrangements so that throughout the procurement process at no point is there any endangerment to the Island's supply chain. The panel has done work on supply chain resilience. It is absolutely critical that we ensure the supply chain is not disrupted whatever the decision so that when the Ministers get to receiving a procurement recommendation from officers, they can make an unfettered decision away from other factors.

Today's trialling of the Seven Sisters vessel by DFDS is at our request, not at the request of DFDS as an operator, and is part of us ensuring contingency in the Island's supply chain.

Deputy M. Tadier:

That is good to know. Thank you. I am not sure if that necessarily was understood by ... it was not understood by me, so thank you.

The Minister for Sustainable Economic Development:

I appreciate that. I do not believe we have been asked to explain it.

Deputy M. Tadier:

No, that is fine.

Deputy K.M. Wilson:

Could I just ask a question, Chair? There is also an item on the news about Condor not taking any bookings after March next year. Is that a decision that they have taken commercially or is that something that is part of the procurement arrangements?

Chief Officer, Department for the Economy:

Condor's contract for services to the Islands expires on 27th March 2025, so they cannot sell tickets beyond that date because they do not have the mandate to run services beyond that period. Once a new award of contract is granted, whoever that operator is will then be looking to quickly get a summer schedule up there and available for bookings.

Deputy K.M. Wilson:

What message might you give to Islanders as to the timeframe as to when they will be able to know when the contract has been awarded?

Chief Officer, Department for the Economy:

We expect to make substantive progress on the award of contract during the course of October and then there is a work-up period for the operator to ensure that they can then get the bookings and the website all updated and get the timetable on sale. Clearly there is a commercial imperative for any operator to get that on sale as quickly as possible and to secure the cash flow value of those bookings. We would expect that to be quite an early development once the contract has been awarded.

Deputy M.B. Andrews:

When do you expect it will be concluded? How soon?

Chief Officer, Department for the Economy:

During the course of this month we expect to make an award of contract. We will then move to building in all of the bid aspects that the successful bidder has made. They will be contractualised into the schedules of the concession agreement. Each bidder has slightly different bids on the table and, therefore, we need to ensure that whichever bid is the winning bid, all of those aspects around timetabling, fleet investment, customer service initiatives, fare structures for passengers, fare structures for freight and so on, all go in as schedules to the contract and then the contract is in an acceptable form that we can complete. We hope to finalise all of that by the end of October, but certainly the awareness of winners and losers will be during the course of this month.

Deputy M.B. Andrews:

Can you just maybe explain a bit about the process? Obviously we have got Jersey and we have got Guernsey who are involved and how that really has worked.

The Minister for Sustainable Economic Development:

Very, very closely working together. To be honest, a couple of weeks ago the final bidders were working both ... all the final bidders, I should say, were working with a team from Jersey and Guernsey, a combined team from Jersey and Guernsey, to work through final tender submissions so that they could put in their final tender submissions, and that is entirely Jersey and Guernsey cheek by jowl working together.

Deputy M.B. Andrews:

Who is your counterpart in Guernsey?

The Minister for Sustainable Economic Development:

Neil Inder. Deputy Inder, I should say.

Deputy M. Tadier:

We have had someone contact us and they raised a potential area of concern. They said that Guernsey loaned Condor Ferries £25 million so that they could purchase the Islander. As we know, that is correct. They have highlighted a potential conflict there, saying that if Guernsey is involved in the tendering process it might have an interest to make sure that Condor are awarded ... I presume that is what the inference is, to make sure they are awarded the contract.

Chief Officer, Department for the Economy:

In terms of any arrangements that the States of Guernsey has over the Islander purchase that was placed last year, even now it is bound up in secrecy in Guernsey, which it was done under the Civil

Contingencies Authority, I recall. So we certainly have no line of sight to that. I think all I can say from an officer perspective - and the Minister can comment on his counterpart in Guernsey - is that at no point have we had any indications that that is a factor in the way that the procurement process has either been commissioned or carried out to this stage. We are confident that the award of contract will be made to the best, the strongest bidder for the Channel Islands irrespective of other factors such as joint ownership of a vessel.

The Minister for Sustainable Economic Development:

I was going to say it is really hard because we cannot speak for another Parliament, cannot speak for another Government but, as Richard said, that has not and I do not think we would see that as being a factor that affects the award of tender.

Deputy K.M. Wilson:

Could I just ask on the duration of the contract; it is 15 years?

Chief Officer, Department for the Economy:

We have said up to 15 years. Recognising that new ropax vessels are something similar to the vessel that was trialled earlier today, you are looking at £110 million or so for one of those. If you are needing to retonnage, and the Condor fleet is an ageing fleet so it needs significant investment over the life of the new contract, for the successful company to go and get the necessary financing around that, they want the security of tenure of a longer-term contract. If one of the tenderers had come up with a very old fleet and, therefore, very little by way of new investment being made in the services, we certainly would not be anywhere near considering a 15-year contract. It is very much about the quality of the offer that is on the table and a compelling offer with investment in the service, investment in the fleet will get a contract towards that 15-year window.

The Minister for Sustainable Economic Development:

It is not set at a 15-year contract. The length of the contract to the successful bidder will be shaped partly by their need to invest.

Deputy K.M. Wilson:

Thank you. Just in terms of the contract issue, is there a break clause in that 15-year period and when will it be?

Chief Officer, Department for the Economy:

There is not a formal break clause in the contract either from our side or as a request at this stage from the bidders, but there are various other grounds to terminate the contract at various points, so in the event of persistent non-performance, if the investment does not materialise as it should do

during the life of the contract, there is an escalation process of penalties right the way through ultimately to termination of the contract.

Deputy M. Tadier:

Thank you. We could ask you a lot more about relations with France but we will save that for another time. I am mindful of the fact that we are towards the end of our meeting. If we were to run over by 5 or 10 minutes, would that be a problem?

The Minister for Sustainable Economic Development:

No.

Assistant Minister for Sustainable Economic Development:

That is fine.

Deputy M. Tadier:

For us, I think it is but we will try not to keep you too long. Let us turn to the cyber defence law now, if that is all right. Similar to the Competition Law, it is something we may need to come back to, if you are happy with that, but I think we can start to make some headway with it, so I will just pass over to Deputy Andrews.

Deputy M.B. Andrews:

Deputy Scott, could you just provide us with an update in terms of where you are at with the Cyber Security (Jersey) Law?

Assistant Minister for Sustainable Economic Development:

It is currently being amended. That is after its second period of consultation and that again received lots of feedback; 50 written responses, 10 public briefings with 93 participants and 72 private briefings with interested stakeholders. I would like to thank them because I cannot over-emphasise how important cyber security is to the way in which we move forward as a community. In terms of increasing productivity, we are looking to the digital support that we get but it needs to be kept secure and there is a culture change that this law is basically spearheading. The law itself is currently being amended after that consultation. We anticipate that it is going to be lodged by the end of the year, some changes that ...

Deputy K.M. Wilson:

Have we seen the previous draft law?

Assistant Minister for Sustainable Economic Development:

Yes, you have. Amendments will be made to the definitions of “cyber”, the title of the Cyber Security Commissioner, because we were calling him the chief officer, which was a bit confusing.

[14:30]

We had been doing some further consultation on the definition on the operators of essential services. Just to remind you that the whole emphasis is about risk management and the people we are initially focusing on what we call phase one are these people that we say are absolutely critical to the infrastructure of the Island, how it supports everybody, before we move on to phase 2.

Deputy M.B. Andrews:

How many revisions were there of the drafting of the Cyber Security (Jersey) Law?

Assistant Minister for Sustainable Economic Development:

You mean in terms of ...

Deputy M.B. Andrews:

How many versions were there?

Assistant Minister for Sustainable Economic Development:

... the versions that have been consulted upon? We have just gone through our second consultation.

Deputy M. Tadier:

Thank you. I know we have had private briefings. We have also been to see the cyber hub, so we were quite impressed. I think from memory they were already on their 11th or 12th draft so there is a bit of back and forth between ... so they are working hard, we know that. Thank you. One question - Max, if I can just take over for this bit - is that we understand that there is one part of the law that is coming forward, which talks about the requirement to report significant cyber incidents. That has been settled on a 48-hour period. We have asked some questions privately about that, but could you talk to us about how that timescale was decided and how it compares to other jurisdictions, whether it is likely to stay at 48 hours, whether you are entirely happy with that and what the alternatives might be?

Assistant Minister for Sustainable Economic Development:

As I have said, this is the beginning of the journey. In an ideal world I would be saying get on the phone immediately and report that cyber incident, 24 hours would be terrific - well, perhaps even a maximum - but as we have been consulting with the community, let us just say there is a certain

amount of adjustment to the idea, some concerns about how we do that. I do not know whether we have had any more development on that.

Head of Digital Economy, Department for the Economy:

As you say, we have consulted extensively and 48 hours has been the agreed timescale. With regard to other jurisdictions, the U.K. is 72 hours, Australia is 12 hours, India is 6 hours, but I should say the U.K. is also consulting on 48 hours. It has been part of a very broad and engaged discussion with key stakeholders.

Assistant Minister for Sustainable Economic Development:

That provides consistency, of course, with some of these operations that are here that are connected to U.K. head offices.

Deputy M. Tadier:

But generally the message is report as soon as you can, and it is presumably in the interests of the company to do it sooner rather than later so you get the support.

Assistant Minister for Sustainable Economic Development:

It is in the interests of the community at large. We are all dependent on each other to inform each other if there is a problem and the message is more than report quickly. The message is there are some resources out there right now that are there to help people inform themselves, which is really important in terms of using this technology before any damage is done to your finances or personal information. The J.C.S.C. (Jersey Cyber Security Centre) is providing seminars, presentations to all types of sectors. I have got to commend the Channel Islands Information Security Forum, who have done a lot of work in this area and are having a conference on the 17th of this month and I do hope as many people as possible will attend.

The Minister for Sustainable Economic Development:

I agree. I think 48 hours is very much where we are in terms of the adjustment to the new regime. I agree with Deputy Scott. I would personally prefer to see it become 24 hours over time. When we say "notification" it really is just a notification. We have discussed this a lot. It is send an email.

Assistant Minister for Sustainable Economic Development:

At this point we are trying to just have people realise that the J.C.S.C. is even there.

Deputy M. Tadier:

Would you be resistant to an amendment in that regard to lower it?

The Minister for Sustainable Economic Development:

Purely because of what has come out of consultation, yes, because I think you have to go with ... if you are bringing in a new regulation, you do not want to scare people away and make them feel like ...

Deputy M. Tadier:

What are the arguments for a longer period?

Assistant Minister for Sustainable Economic Development:

It is the consistency with the U.K., so you have got many banking operations here that are centrally operated and are working to that timetable.

Deputy M. Tadier:

Yes, okay, thank you. Are there any other sectors or businesses that are currently not envisaged to be included as operators or essential services but which may be included later on?

Assistant Minister for Sustainable Economic Development:

Well, phase 2, which will come into play after the law is brought in, does contemplate that we look at other businesses that are important to the economy. There have been discussions going on in the finance industry in terms of that because we have a trillion-dollar industry there, but again in terms of just beginning this culture change with a law that refers to essential operators and just getting the bare bones of having people understand what is essential to the infrastructure, to what is essential ...

Deputy M. Tadier:

Can you remind us what is being captured in the essential?

Assistant Minister for Sustainable Economic Development:

Fire, ambulance, government departments like that, telecoms, electricity.

The Minister for Sustainable Economic Development:

Interestingly, we have had ... from the non-Ministerial departments there has been a suggestion they should not be included. I disagree with that. I think non-Ministerial is part of the makeup of the very fabric of our democracy and, therefore, is an essential service in my view.

Assistant Minister for Sustainable Economic Development:

And we are looking at the new phase 2.

Deputy M. Tadier:

When do you anticipate the finance sector will be brought in? Is that phase 2 or later on or will it be sections of phase 2?

Assistant Minister for Sustainable Economic Development:

Phase 2, that is going to begin ...

Head of Digital Economy, Department for the Economy:

I would anticipate it would be the back end of next year.

Assistant Minister for Sustainable Economic Development:

We just need to get ... what we have been doing with other sectors is talking about thresholds, so this is a staged thing, bearing in mind the J.C.S.C. has to keep up with this. It has got limited resources and so as we expand the net it needs to keep up with that itself. There have been discussions about the thresholds in terms of income and assets that should be considered to be the bar in terms of requiring the obligation, bearing in mind all the same that everybody is encouraged to report things, incidents to the J.C.S.C. and I hope that people just will because it is a community-minded thing to do.

Deputy K.M. Wilson:

Can I just ask, as a preventative measure in terms of where the focus is around prevention of incidents and where this will perhaps be reflected in any formal legislative framework going forward? Are you going to impose requirements on people and businesses and agencies and departments to increase their security arrangements and their practice of security around this?

Assistant Minister for Sustainable Economic Development:

The law contemplates that by regulation we can do much more in the area of cyber security, but the important thing in terms of leading any community is to pace with them, so it is not to create a whole avalanche of regulation for them to digest and comply with. Somewhere down the line, yes, that is possible but for now we have got this obligation about reporting. There is a huge education piece. Talking about prevention, yes, that is included in education, but in terms of the J.C.S.C. when people report to it, we are talking about things that can spread and it is about containing that. At some point in the future there could even be that capacity for an agency to physically remove viruses from individual computers. Now, we are not legally structured to enable that but I think that will be something for the community to think about down the line: should we be allowing people to continue on that basis? But as I say, we are just having to get people thinking about this whole need to keep the system secure and how we do that and why we need to do that. I very much hope that the panel will support us in that objective.

Deputy M. Tadier:

Thank you. I think we will wrap it up but just one last question and we can come back to this nearer the time when it is being lodged and if we need to we will do ... we have been briefed on it already but we will do some scrutiny. I am sure we will issue a comments paper. Could you explain maybe why you think it has fallen to this Ministry rather than necessarily perhaps to Home Affairs? There is an element, of course, about security and defence and criminality in it. Do you think you are the natural home for it and how does that compare ...

The Minister for Sustainable Economic Development:

It is a good question. I have never actually thought about it. It is one of those that this was on my desk when I took over. It has a business-enabling element. It is an economic-enabling piece of legislation and protecting, so in that sense I think it is quite happy with us. As a department, we also have things like the Telecoms Law as part of our department and obviously the whole digital economy side, which Mark represents. So I think in that sense it does sit easily with us but I think it is incumbent on us to speak to the Home Affairs Department and Minister to make sure that they are sighted and understand as well. Given the rest of the remit around telecoms and digital, this fits easily within our department.

Deputy M. Tadier:

Any comments on that? Where would it fit elsewhere? Is it normal for it to fit in this kind of portfolio?

Head of Digital Economy, Department for the Economy:

As the Minister says, this is part of the broader digital economy mix, so we have been working very hard in the department on developing a strategy and action plan for the digital economy and cyber is absolutely central to that thinking.

Chief Officer, Department for the Economy:

I think in the U.K. it would have been - I do not know what it is called today - D.C.M.S. (Department for Culture, Media and Sport), so it is broadly similar, yes.

The Minister for Sustainable Economic Development:

For something like this where you are putting regulation potentially on to business, at the moment it is not onerous but it could theoretically become. I think it is really important that the department taking this through has really good relationships with business, and that is something we do have. I think otherwise it becomes very easy to look at it just from the perspective of protect everything no matter what the cost and you end up with a piece of legislation that is too cumbersome. Look at today's paper and in one sense you do not want to end up in the perspective where business is

feeling trapped through the regulation that we have created. So in the sense that we definitely seek to balance the importance of regulation with the importance of being able to do business, I think we are well placed.

Assistant Minister for Sustainable Economic Development:

It is the other reason for having these phases because, as we said, things like fire, ambulance, medical services, that is part of this definition of essential operators and the consultation has very much extended to them. As we move on into other areas, we can specialise target around them and the economy is quite a big part of that or probably a huge part of that.

Deputy M. Tadier:

Thank you. Any questions from colleagues? No. Have you got any final thoughts or remarks for us on any of these areas or others?

The Minister for Sustainable Economic Development:

Not at the moment, other than to thank you. Just going back to the events side of it, I am really pleased with where the events industry is at the moment. I know there is work on the legislation that we are doing but it feels to me like there is a lot happening on the events side in Jersey. I am delighted that the Jersey International Air Display was able to go ahead, that they were able to do that and pulled off a good display, but is one of a whole mix of events in Jersey. The Festival of Words at the moment is bringing people to the Island. I get really excited about the events side of things. I think it is really boosting Jersey in many different ways.

Assistant Minister for Sustainable Economic Development:

We welcome very much your review and questions on the competition amendments and on the cyber security law.

Deputy M. Tadier:

First of all, thank you for keeping us busy. We have been doing a lot of work and it has all been interesting and diverse. Thank you for coming in again and for your time. I am sorry that we have slightly overrun but we appreciate your patience with us and your showing up today.

[14:43]