

**Open Minutes of the Social and Community Development Committee Meeting held on  
Wednesday, 10 April 2019 at 9 am in the Council Chamber**

<b><u>Present:</u></b>	<b>Chairman:</b>	Hon Anthony Green (Hon TG)
	<b>Deputy Chairman:</b>	Hon Cyril Leo (Hon CL)
	<b>Members:</b>	Hon Kylie Hercules (Hon KH) Hon Derek Thomas (Hon DT) Hon Gavin Ellick (Hon GE)
	<b>Non-Voting Members:</b>	Mrs Tracy Poole-Nandy, Director of Safeguarding (TPN) Mrs Nicole Shamier, Government Economist (NS)
	<b>Secretary:</b>	Mr Anne Dillon, Temporary Executive Assistant (AD)
	<b>Invited:</b>	Hon Dr Corinda Essex for items 2 & 6 only Ms Emerald Newman, Immigration Officer for items 2 & 6 only David Lynch, Director of Police and Immigration Officer for items 2 & 6 only Mr William Spooner, FCO Policy Officer (observer at meeting)

Hon TG welcomed all to the meeting along with AD who is covering temporarily for NP.

**1. Information Bill Update**

Hon TG confirmed that this is still on hold. AG Chambers are still seeking advice from FCO. Hon TG reported that apparently they claim that GDPR doesn't apply to overseas territories but AR thought otherwise. He suspected that they would be addressing the issue soon regarding how we are affected, to what extent and cost implications.

**2. Update on the review of the Immigration Ordinance**

This has not progressed due to the sudden departure of the AG. When Allen Cainsick returns on the weekend it will be decided who goes on the group and then continue. A reminder that the Milestone for capital funding is December 19.

**(Action: Hon DT/NP)**

**3. Occasional Liquor Licences.**

- (a) Hon DT outlined the current situation i.e. that restaurants have the same opening hours as pubs and clubs. Shops can sell Liquor from 09:00. This means that restaurant patrons can have a meal prior to 11:00 but cannot have an alcoholic drink with the meals. This is reportedly being experienced at Anne's place and Mantis and is not seen as conducive to encouraging economic growth. All agreed with the merits of changing the sale of liquor at restaurants from 11:00 to 09:00.

A Mandate was given for a proposed amendment to the existing legislation to be drafted. It was agreed that public consultation was not required but that there should be targeted consultation with key stakeholders e.g. Police

**(Action: Hon TG/NP)**

- (b) Amendment to the Ordinance.

Ref e-mail circulated by NP. Hon TG asked for any comments to be sent to him via e-mail in time for the next meeting. A clearer definition is needed as occasional licences have become regular.

**(Action: AD to circulate e-mail again and to check next week for feedback)**

#### **4. Visitor Insurance Declaration**

Hon DT outlined that the existing process at the airport with checking the validity of medical insurance for visitors is proving to be challenging and time consuming for Immigration officials for a variety of reasons. Tour groups have expressed concern about the complexity and have threatened to walk away.

NS advised that DC, on the recommendation of DMC advised that the queues are too long and full on. A number of people have the insurance on their credit card with the policy in languages other than English.

There is no suggestion of no insurance but a middle ground of self-declaration;

It was confirmed that as this was an operational issue any changes could just be agreed upon.

Members then considered the contents of the SCDC Memo issued prior to the meeting. Hon CE suggested that the value of the level of cover be reduced to possibly £100K as the current level is far too high;

NS had confirmed with Nikeem that before anyone gets medi-vaced, details of payment/insurance is checked first. A query into the price of medi-vac being £26K was raised as it was believed to be more; Hon CE confirmed that £40-£60 was included within the budget. NS suggested that if Committee agreed in principle, a check be conducted with Health Directorate to agree figure that they are confident with.

All agreed in principle

**(Action Hon DT for action)**

Committee then reviewed Appendix A & B. The following key points were noted:

- The prompt by Immigration via Air Traffic Control for forms to be issued on the flight is working well.
- For simplicity, it was recommended that the form remain in English, with some versions in other languages at immigration's disposal to assist should the need arise.
- The possibility of investing in a translation machine to assist was discussed.

**(Action: EN to research possible costs)**

- Remove one of the signatures as only one needed. DL empowered to remove signature from form.
- Rewording 'repatriation' to 'medical evacuation'

**(Action: NS to amend)**

Hon TG thanked NS and DC from ESH for the research conducted of the requirements of other countries.

*CE, EN and DL left meeting*

*Hon TG then took the opportunity to welcome William Spooner as an observer to the meeting.*

#### **5. Social Security Review Update**

Hon CL reported that the work being done to update the Social Security Ordinance is a comprehensive and complex piece of work. Good progress being made on the 'household' work. He appreciated the heavy workload being carried by Admin so there is a delay with providing costs. NS reported that one of the review members has taken on the costing.

Hon CL has the draft document which will be shared with members. Concerns were expressed about having the necessary legal support. Acting AG has committed to address

the shortfall. He acknowledged the valuable contribution of NS. Hon TG suggested fast tracking if possible as many interlinking points. NS advised that it will cost approx. £100-£200K; affordability will be a problem and finances are a main constraint. Draft numbers there. NY and Statistics are checking the numbers then will come back to the group and then back to this committee. DR and NY currently checking when to implement.

DT funding always going to be an issue and unlikely this financial year. Hon TG recommended working up a scheme and cautioned against holding up the process on the assumption that there is no money. Members were keen to continue; Hon CL highlighted that any delay for implementation will affect the vulnerable. NS suggested the option of taking from pensions. DT highlighted the challenges with changing the pensions. Hon TG complimented and thanked all for the good work conducted thus far and a reminder to keep to deadlines.

**(Action: Hon TG to review the arguments presented)**

## **6. Immigration (Temporary Measures) regulations.**

As AR was still absent from meeting it was deduced that he was possibly sick. Hon TG outlined that the purpose of the item was to exempt entry permit from ESH. Whilst Committee had no issues with the proposal in principle, there were concerns about it not applying to other entities e.g. Connect and Sure thus the need to seek clarification.

**(Action: NS to check with AR to see if there are legal issues why ESH should be different)**

7. The open minutes of the meeting held on 13 February were confirmed.

## **8. Matters Arising**

### **6.1 Prioritisation of Legislation**

A Guardian and deputies are now in place. TPN reported that there is a proposal to extend the contract of the current TC Post Holder, Gavin Thomas

**(Action: TPN to send copy of Ordinance)**

*Employment Rights Ordinance* – Committee discussed how to encourage and educate the private sector to comply with Employment Rights Ordinance. It was agreed that this matter be raised at Informal Legco.

**(Action: Hon TG)**

## **9. AOB**

Hon DT reported that the constituency meeting held at Blue Hill was well attended. The possibility of recruiting 15 staff from abroad was a contentious topic for discussion. TPN provided an update. She is working with HR to review the T&Cs. She confirmed that staff are needed in place whilst a review is undertaken. Hon DT suggested more radio talks to educate the public on the reasons for this recruitment.