

STATES OF JERSEY ORDER PAPER

Monday 19th July 2010

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Bee Diseases Control (Amendment No. 2) (Jersey) Order 2010. R&O.65/2010.
Minister for Planning and Environment.

Taxation (Double Taxation) (Malta – Date in Force) (Jersey) Order 2010. R&O.66/2010.
Chief Minister.

Social Security (Determination of Claims and Questions) (Amendment No. 4) R&O.67/2010.
(Jersey) Order 2010.
Minister for Social Security.

Battle of Flowers (Jersey) Order 2010. R&O.68/2010.
Minister for Transport and Technical Services.

Gorey Fête (Jersey) Order 2010. R&O.69/2010.
Minister for Transport and Technical Services.

Community Provisions (Restrictive Measures – Guinea) (Jersey) Order 2010. R&O.70/2010.
Chief Minister.

Community Provisions (Restrictive Measures – North Korea) (Amendment R&O.71/2010.
No. 3) (Jersey) Order 2010.
Chief Minister.

C. DOCUMENTS PRESENTED OR LAID

Draft Howard Davis Farm (Abrogation of Covenant) (Amendment of Law) P.67/2010.
(Jersey) Regulations 201- (P.67/2010): addendum to Report – Letters of Add.
Support.
Presented: 14th July 2010.
Minister for Treasury and Resources.

Jersey Heritage Trust: service level agreement and funding requirements P.75/2010.
(P.75/2010) – comments. Com.
Presented: 13th July 2010.
Public Accounts Committee.

Questions in the States: Connétables and political parties (P.85/2010) – P.85/2010.
comments. Com.
Presented: 15th July 2010.
Privileges and Procedures Committee.

Land Transactions under Standing Order 168(3) – R.96/2010.
(a) Fields 1454, 1457, 1458, 1459, 1609A, B and C and 1610, Le Mont
Vautier, St. Ouen– proposed sale;
(b) GSM Site, La Rue des Pres, St. Saviour– rescindment of MD-PH-2008-

0012 and the creation of a new lease to Jersey Telecom Limited;
(c) Flat 2, Hazelgrove, 73 Rouge Bouillon, St. Helier– lease.
Presented: 12th July 2010.
Minister for Treasury and Resources.

International Conventions and Agreements: progress report for period 1st
October 2008 to 31st December 2009. R.97/2010.
Presented: 12th July 2010.
Chief Minister.

Jersey Safety Council: Report and Financial Statements for the year ended 31st
December 2009. R.98/2010.
Presented: 13th July 2010.
Minister for Social Security.

Historic Child Abuse Enquiry: Report under the Public Finances (Jersey) Law
2005 – July 2010. R.99/2010.
Presented: 14th July 2010.
Comptroller and Auditor General.

Jersey Competition Regulatory Authority: re-appointment of Non-Executive
Director. R.100/2010.
Presented: 14th July 2010.
Minister for Economic Development.

Land Transactions under Standing Order 168(3) – lease of Unit 4, First Floor,
Beresford House, St. Helier. R.101/2010.
Presented: 15th July 2010.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Recycling of waste materials: identification of suitable sites. P.97/2010.
Lodged: 9th July 2010.
Deputy of St. John.

Jersey Law Commission: appointment of Commissioner. P.98/2010.
Lodged: 9th July 2010.
Chief Minister.

Draft Annual Business Plan 2011. P.99/2010.
Lodged: 13th July 2010.
Chief Minister.

Media Relations: Code of Conduct. P.100/2010.
Lodged: 15th July 2010.
Privileges and Procedures Committee.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Housing will table an answer to a question asked by Senator F. du H. Le Gresley regarding the delegation of eviction powers.
2. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding a future Harbours and Airport Board.
3. The Minister for Planning and Environment will table an answer to a question asked by Senator B.E. Shenton regarding the costs of a planning appeals claim.
4. The Minister for Economic Development will table an answer to a question asked by the Deputy of Grouville regard the sculpture which was formerly in the Airport Departures Hall.
5. The Minister for Economic Development will table an answer to a question asked by the Deputy of Grouville regarding Waitrose's promotion of local produce.
6. The Minister for Housing will table an answer to a question asked by the Deputy of Grouville regarding Housing qualifications for prisoners.
7. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding encouraging community and voluntary service as part of the Strategic Plan.
8. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the publication of salaries and organisation charts for all States departments.
9. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Mary regarding the latest research on peak oil.
10. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding reductions in expenditure.
11. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding the maintenance of Island roads.
12. The Chairman of the Comité des Connétables will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding complaints against the Honorary Police.
13. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding police representation in national assemblies.
14. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding polling station opening hours.
15. The Minister for Economic Development will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the remaining creditors of Woolworths Plc.
16. The Minister for Economic Development will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding vodka production in the Island.
17. The Minister for Home Affairs will table an answer to a question asked by the Deputy of

St. John regarding the instigation of Operation Blast.

18. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding the St. Helier marina.
19. The Chief Minister will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the suspension process in relation to the retiring Chief Officer of the States of Jersey Police.
20. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the right of reply for the retiring Chief Officer of the States of Jersey Police.
21. The Minister for Economic Development will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding anti social behaviour at the Albert Quay.
22. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding income received as a result of the 2005 Fiscal Strategy review.
23. The Minister for Economic Development will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding sustainable economic growth.
24. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding Priority 4 of the Strategic Plan 2009 to 2014.
25. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the cost of the Interim Hospital Director.

(b) – Oral Questions

(120 minutes)

1. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Planning and Environment –

“Further to his response to a written question on 23rd March 2010 (5226), could the Minister give further details in relation to the proposals contained within the draft Island Plan regarding the delivery of up to 2,500 new homes on the St. Helier Waterfront and within the town of St. Helier?”
2. The Connétable of St. Helier will ask the following question of the Minister for Planning and Environment –

“Would the Minister undertake to determine the future of the Le Seilleur building in Oxford Road as soon as possible to prevent the site from being further degraded and, given the potential the building has for providing complementary facilities for the Millennium Town Park, will he consider its future as part of the revised North of Town Masterplan?”
3. Senator S.C. Ferguson will ask the following question of the Minister for Treasury and Resources –

“Given that the 2010 Business Plan required that the accounts of all organisations which received grants, including housing trusts (subject to de-minimis provisions) be published in the form of reports to the States, would the Minister explain why, mid July, we have only seen the accounts of the utilities and advise when we can expect to see the accounts?”

4. Senator F. du H. Le Gresley will ask the following question of the Minister for Treasury and Resources –

“Can the Minister advise whether options contained within the Fiscal Strategy Review Green Paper to raise additional personal tax, if approved by the Assembly, would result in 1(1)(k) category residents being subject to a 30% higher rate of income tax on income above £100,000 and, if not, why not?”
5. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister advise how he considers that the outlay of £950 per day, the cost of four star hotel accommodation and £90 per day subsistence allowance to the interim Treasurer of the States is justifiable at a time when many Islanders are struggling to make ends meet and detail when these costs were first met and the total cost to date of his accommodation and subsistence claims?”
6. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister inform members why he has set targets for additional tax revenues from personal taxation, but has not done so for revenues from businesses; outline what measures, if any, he has under consideration for raising tax from non-local, non-finance companies who currently trade tax free in the Island and advise whether he will be coming to the Assembly with proposals for taxing business and, if so, when?”
7. Deputy D.J. De Sousa of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister inform the Assembly who was responsible for setting up the Criminal Offences Confiscation Fund, upon what criteria funds can be drawn and whether this fund was originally established to fund rehabilitation of offenders?”
8. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister advise whether, following the resignation of the former Chief Executive of the Health and Social Services Department it was determined that a ‘j’ category licence application should be made in respect of his wife, working within the Human Resources Department, and, if so, whether this was granted?”
9. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Comité des Connétables –

“Are senior citizens required to pay higher fees in respect of Heavy Goods Vehicle Licences and, if so, why?”
10. The Deputy of St. John will ask the following question of the Minister for Home Affairs –

“Can the Minister confirm that copies of the Wiltshire police report were issued to the media before elected States members and those people who were subject to the inquiry, and, if so, would he confirm when and why and advise whether it is now policy for Ministers to have government by the media in preference to open government by elected members?”
11. The Deputy of St. Martin will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General inform Members whether legal staff have been employed from

outside the Island to prosecute minor cases in the Magistrate's Court, and if so, would he outline the reasons why, how often such assistance was sought and how much it cost?"

12. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Home Affairs –

“Can the Minister explain why, during a recent scrutiny hearing, he described the 2% Comprehensive Spending Review cuts across all departments as a ‘blunt tool’ and advise whether he is in agreement with fixed percentage cuts across the board and what he would see as a ‘less blunt tool’ for making savings?”

13. The Deputy of St. Mary will ask the following question of the Minister for Transport and Technical Services –

“Given the importance of achieving community involvement and buy-in to the new Town park, which techniques of consultation and participation have been chosen for the Town park design process, why have they been chosen, and what were the sources of advice used to make the choice?”

14. Deputy R.G. Le Hérisser of St. Saviour will ask the following question of Chief Minister –

“What reforms, if any, of the disciplinary process for public employees will be put forward as a result of the issues arising from the suspension of the Chief Officer of the States of Jersey Police?”

15. Senator F. du H. Le Gresley will ask the following question of the Minister for Home Affairs –

“Can the Minister advise whether he consulted with the States Employment Board and/or the Chief Minister before he decided to publicise extracts from the Wiltshire Police report and whether the Chief Officer of the States of Jersey Police was made aware of the likelihood of such disclosure in the letter he was sent, dated 8th July 2010, in which the Minister indicated that the disciplinary process was to be discontinued?”

16. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs –

“Given that the Minister has presided over a suspension investigation for the Chief Officer of the States of Jersey Police where deadlines were missed, budgets over-spent and ultimately no disciplinary charges were brought; how much has this process cost the taxpayer to date and does he accept responsibility for this situation and, if not, why?”

17. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Given that the Minister has said in the past that the 20% tax rate is sacrosanct, will he advise what other elements of Jersey's tax model, if any, he sees as also sacrosanct and what the logic is of including such an item for possible amendment in the current green paper on taxation options (R. 82/2010)?”

18. The Deputy of St. Martin will ask the following question of the Minister for Home Affairs –

“Will the Minister give an update on the establishment of an Independent Custody Visitor Scheme for Jersey?”

19. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Given that on 6th July 2010, his Assistant Minister was unable to clarify whether the 30% rate on incomes over £100,000 applied to individuals or households and how it might apply to married or cohabiting couples, will the Minister do so now, and state by how much revenue would be decreased if the higher rate applied to individual incomes?”

20. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Would the Minister advise how much is spent by the Property Holdings Department in order to achieve Health and Safety compliance in the States property portfolio, whether he considers this amount to be justified and if he has full confidence in the operation of this department?”

21. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Housing –

“Given the lack of either social rented or affordable new homes featured in the draft Island Plan, will the Minister be bringing a proposition to reinstate the fields that have been vetoed by the Connétables and if not why?”

22. Senator S.C. Ferguson will ask the following question of the Minister for Home Affairs –

“In view of the criticism of the former Deputy Chief Officer of the States of Jersey Police (DCO) in relation to expenses in the recent audit report, at a time when he was responsible for the Professional Standards Unit, will the Minister be reviewing the cases where the DCO was making judgements on officers and compelling them to leave the Police Service?”

(c) – Questions to Ministers without notice (30 minutes) –

1st question period – Minister for Home Affairs

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Income Support: eligibility for educational or training courses. P.66/2010.
Lodged: 27th May 2010.

Health, Social Security and Housing Scrutiny Panel.

Income Support: eligibility for educational or training courses (P.66/2010) – P.66/2010.
amendment. Amd.

Lodged: 6th July 2010.

Minister for Social Security.

Draft Howard Davis Farm (Abrogation of Covenant) (Amendment of Law) P.67/2010.
(Jersey) Regulations 201-.

Lodged: 28th May 2010.

Minister for Treasury and Resources.

Draft Howard Davis Farm (Abrogation of Covenant) (Amendment of Law) P.67/2010.
(Jersey) Regulations 201- (P.67/2010): addendum to Report – Letters of Add.
Support.

Presented: 14th July 2010. <i>Minister for Treasury and Resources.</i>	
Draft Income Tax (Amendment No. 35) (Jersey) Law 201- Lodged: 28th May 2010. <i>Minister for Treasury and Resources.</i>	P.68/2010.
Draft Unlawful Public Entertainments (Jersey) Regulations 201- Lodged: 7th June 2010. <i>Minister for Home Affairs.</i>	P.72/2010.
Jersey Heritage Trust: service level agreement and funding requirements. Lodged: 8th June 2010. <i>Minister for Education, Sport and Culture.</i>	P.75/2010.
Jersey Heritage Trust: service level agreement and funding requirements (P.75/2010) – comments. Presented: 13th July 2010. <i>Public Accounts Committee.</i>	P.75/2010. Com.
Jersey Heritage Trust: service level agreement and funding requirements (P.75/2010) – amendment. Lodged: 6th July 2010. <i>Minister for Education, Sport and Culture.</i>	P.75/2010. Amd.
Draft Income Support (Amendment No. 5) (Jersey) Regulations 201- Lodged: 8th June 2010. <i>Minister for Social Security.</i>	P.77/2010.
Draft Taxation Relief (Arrangement with the United Kingdom) (Jersey) Act 201- Lodged: 17th June 2010. <i>Chief Minister.</i>	P.83/2010.
Human Rights Law: statements of compatibility. Lodged: 17th June 2010. <i>Deputy of St. Martin.</i>	P.84/2010.
Human Rights Law: statements of compatibility (P.84/2010) – comments. Presented: 6th July 2010. <i>Council of Ministers.</i>	P.84/2010. Com.
Foreign taxes and freight costs in prices of goods sold in Jersey. Lodged: 25th June 2010. <i>Deputy M.R. Higgins of St. Helier.</i>	P.89/2010.
Central Market Sub-Post Office facility: social and economic study of closure. Lodged: 28th June 2010. <i>Deputy S. Pitman of St. Helier.</i>	P.90/2010.
Comprehensive Spending Review: savings proposals – impact on employment of public sector staff. Lodged: 29th June 2010. <i>Deputy G.P. Southern of St. Helier.</i>	P.91/2010.
Draft Community Provisions (Mortality in Oysters) (Jersey) Regulations 201-.	P.94/2010.

Lodged: 6th July 2010.
Minister for Planning and Environment.
(Cannot be debated at this meeting unless agreement is granted under Standing Order 26(7) to reduce the lodging period)

Jersey Arts Trust: appointment of Chairman. P.95/2010.
Lodged: 6th July 2010.
Minister for Education, Sport and Culture.

M. ARRANGEMENT OF PUBLIC BUSINESS

13th September 2010

Chief Officer of the States of Jersey Police Force: appointment. P.30/2010.
Lodged: 16th March 2010.
Minister for Home Affairs.

Chief Officer of the States of Jersey Police Force: appointment (P.30/2010) – P.30/2010.
comments. Com.
Presented: 8th April 2010.
Education and Home Affairs Scrutiny Panel.

Chief Officer of States of Jersey Police: appointment process. P.33/2010.
Lodged: 23rd March 2010.
Deputy of St. Martin.

Chief Officer of States of Jersey Police: appointment process (P.33/2010) – P.33/2010.
amendment. Amd.
Lodged: 13th April 2010.
Minister for Home Affairs.

Island Plan 2002: Field 622, St. Ouen– rezoning. P.48/2010.
Lodged: 19th April 2010.
Connétable of St. Ouen.

North of Town Masterplan. P.57/2010.
Lodged: 11th May 2010.
Minister for Planning and Environment.

North of Town Masterplan (P.57/2010): amendment. P.57/2010.
Lodged: 13th May 2010. Amd.
Connétable of St. Helier.

North of Town Masterplan (P.57/2010): second amendment. P.57/2010.
Lodged: 8th June 2010. Amd.(2)
Deputy A.K.F. Green of St. Helier.

North of Town Masterplan (P.57/2010): third amendment. P.57/2010.
Lodged: 8th June 2010. Amd.(3)
Deputy P.V.F. Le Claire of St. Helier.

Immigration, Asylum and Nationality Act, 2006 and Immigration and Asylum Act, 1999: Extension of Certain Sections to Jersey. P.80/2010.
Lodged: 14th June 2010.
Chief Minister.

Draft Census (Amendment No. 3) (Jersey) Law 201-. Lodged: 14th June 2010. <i>Chief Minister.</i>	P.81/2010.
Questions in the States: Connétables and political parties. Lodged: 18th June 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.85/2010.
Questions in the States: Connétables and political parties (P.85/2010) – comments. Presented: 15th July 2010. <i>Privileges and Procedures Committee.</i>	P.85/2010. Com.
Sites of Special Interest: removal from list. Lodged: 7th July 2010. <i>Senator J.L. Perchard.</i>	P.96/2010.
Jersey Law Commission: appointment of Commissioner. Lodged: 9th July 2010. <i>Chief Minister.</i>	P.98/2010.
Draft Annual Business Plan 2011. Lodged: 13th July 2010. <i>Chief Minister.</i>	P.99/2010.
<u>28th September 2010</u>	
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited. Lodged: 7th June 2010. <i>Council of Ministers.</i>	P.73/2010.
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited (P.73/2010) – amendment. Lodged: 25th June 2010. <i>Senator B.E. Shenton.</i>	P.73/2010. Amd.
Planning and Building Law: repeal of Minister’s power to grant permission that is inconsistent with the Island Plan. Lodged: 10th June 2010. <i>Senator B.E. Shenton.</i>	P.78/2010.
Jersey Financial Services Commission: Companies’ Register. Lodged: 22nd June 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.87/2010.
Financial and manpower statements in Propositions: revised procedures. Lodged: 30th June 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.92/2010.
Pension Scheme for States members. Lodged: 6th July 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.93/2010.
Draft Community Provisions (Mortality in Oysters) (Jersey) Regulations 201-. Lodged: 6th July 2010.	P.94/2010.

Minister for Planning and Environment.

Recycling of waste materials: identification of suitable sites. P.97/2010.
Lodged: 9th July 2010.
Deputy of St. John.

Media Relations: Code of Conduct. P.100/2010.
Lodged: 15th July 2010.
Privileges and Procedures Committee.

12th October 2010

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition. P.49/2010.
Lodged: 20th April 2010.
Connétable of St. Clement.

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition P.49/2010.
(P.49/2010) – comments. Com.
Presented: 28th June 2010.
Minister for Planning and Environment.

Machinery of Government: amended structure. P.70/2010.
Lodged: 3rd June 2010.
Senator A. Breckon.

Machinery of Government: amended structure (P.70/2010) – amendment. P.70/2010.
Lodged: 10th June 2010. Amd.
Deputy P.V.F. Le Claire of St. Helier.

M.N. DE LA HAYE
Greffier of the States

14th July 2010

Note –

In accordance with the meeting dates fixed for 2010 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Tuesday 20th, Wednesday 21st and Thursday 22nd July 2010.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.65/2010.

This Order amends the Bee Diseases Control (Jersey) Order 1992 with the effect that Varroasis ceases to be a notifiable disease.

The Order was made on 6th July 2010 and came into force on 7th July 2010

R&O.66/2010.

This Order amends the Taxation (Double Taxation) (Jersey) Regulations 2010 so as to insert the date that the Double Taxation Agreement with Malta enters into force (19th July 2010).

The Order was made on 7th July 2010 and came into force on 14th July 2010.

R&O.67/2010.

This Order amends the Social Security (Determination of Claims and Questions) (Jersey) Order 1974 with the effect that the administrative functions of the Registrar of Appeals to the Social Security Tribunal are discharged by the Judicial Greffier instead of by a States' employee appointed by the Minister for Social Security.

The Order was made on 9th July 2010 and came into force on 16th July 2010.

R&O.68/2010.

Under this Order, the Jersey Battle of Flowers Association –

- (a) may close public roads, and use them, for the purpose of holding the Battle of Flowers on Thursday 12th August 2010 and the Moonlight Parade on Friday 13th August 2010;
- (b) may restrict traffic on public roads for the same purpose;
- (c) has to give public notice of the closures and restrictions; and
- (d) has to take out public liability insurance.

The Order was made on 9th July 2010 and came into force on being made.

R&O.69/2010.

The object of this Order is to allow certain roads to be closed and used on, before and after Thursday, 19th August 2010 for holding the annual Gorey Fête, and to set out certain conditions to be respected, and certain powers that may be exercised, in relation to the event.

The Order was made on 9th July 2010 and came into force on being made.

R&O.71/2010.

This Order amends the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007 to reflect Council Regulation (EU) No. 1283/2009 of 22 December 2009 (OJ No. L 346/1, 23.12.2009).

Article 1 defines the “principal Order” as the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007.

Article 2 amends the interpretation provisions in the principal Order. It inserts a reference to Council Regulation (EU) No. 1283/2009. It updates references to the EU Common List of Military Equipment to the 2010 edition of that list and points readers to the source of list (the current reference to the list is deleted by *Article 3(b)* while *Article 15* revokes Annex 3 which reproduced the 2007 version of the list). It also inserts “targeted programmes” as a term to cover North Korea’s nuclear and other programmes.

Article 3 (with *Articles 13* and *14*) extends the prohibited items to include all dual-use and military items, as well as those related to North Korea’s nuclear and related programmes.

Article 4 prohibits the obtaining, as well as providing, of technical assistance and financing.

Article 5 allows information to be required on items carried by aircraft and vessels related to North Korea, and prohibits servicing of vessels believed to be carrying prohibited items.

Article 6 updates cross-references to include new provisions.

Article 7 (with *Articles 16* and *17*) updates the persons and bodies whose funds are frozen.

Article 8 updates cross-references and substitutes references to dates of designation.

Article 9 requires reporting by credit and financial institutions of suspicious transactions with institutions domiciled in North Korea.

Article 10 protects from liability those who did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibitions on provision of finance.

Article 11 updates cross-references to include new provisions.

Article 12 extends the scope of the Order to any business done in whole or in part in Jersey.

Article 13 and *Schedule 1* substitute Annex 1 to the principal Order— see *Article 3*

Article 14 and *Schedule 2* add a new Annex 1A to the principal Order— see *Article 3*

Article 15 revokes Annex 3 to the principal Order— see *Article 2*

Article 16 and *Schedule 3* substitute Annex 4 to the principal Order— see *Article 7*

Article 17 and *Schedule 4* add a new Annex 4A to the principal Order— see *Article 7*

Article 18 names the Order and brings it into force 7 days after it is made.

The Order was made on 12th July 2010 and comes into force on 19th July 2010.

R&O.70/2010.

This Order imposes restrictive measures on dealings in respect of the Republic of Guinea, having regard to Council Regulation (EU) No. 1284/2009 of 22 December 2009, as amended to 2 April 2010.

Article 1 contains definitions, including “brokering services”, “funds” and “technical assistance”.

Part 2 imposes restrictions in relation to military goods and to equipment usable for internal repression.

Article 2 imposes restrictions on export, technical assistance, brokering services and financing in relation to equipment that could be used for internal repression. The equipment is listed in *Schedule 1*, which follows a standard content for a number of Council Regulations.

Article 3 imposes similar restrictions on services related to military goods and technology listed in the Common Military List of the European Union (as updated on 15 February 2010).

Article 4 allows the Chief Minister to give authorizations derogating from the restrictions in the previous 2 Articles, mainly in relation to European Union and United Nations operations.

Article 5 exempts protective clothing for use by personnel of the European Union, United Nations and similar bodies.

Part 3 imposes restrictions, subject to derogations, on funds related to the “National Council for Democracy and Development”.

Article 6 freezes the funds and economic resources of members of the “National Council for Democracy and Development”, and related persons and bodies, listed in *Schedule 2* which reproduces the list provided by the Council of the European Union.

Article 7 allows the Chief Minister to give authorizations derogating from the freezing of funds for the purpose of basic and related needs.

Article 8 allows the Chief Minister to give authorizations derogating from the freezing of funds subject to prior liens or judgments.

Article 9 allows some credits to be made to frozen accounts, if they are reported to the Chief Minister (and they are then frozen).

Article 10 protects those who freeze funds under this Part in good faith and without negligence.

Part 4 imposes duties to provide relevant information to the Chief Minister.

Article 11 imposes a duty to supply information to facilitate compliance with the Order, particularly when funds are frozen.

Article 12 allows the Chief Minister (or those authorized by him or her) to request information, documents, copies and explanations for facilitating compliance. The request must be complied with (but cannot cover privileged communications with legal advisers).

Article 13 restricts the Chief Minister's use of information provided, but allows co-operation with European bodies.

Part 5 contains offences and minor provisions.

Article 14 creates offences. Breach of the provisions on internal repression equipment, military goods and information, and intentionally providing false documents or destroying documents, are punishable with an unlimited fine, up to 2 years imprisonment, or both. Failure, without reasonable excuse, to comply with a request for information under *Article 12* is punishable with an unlimited fine, up to 3 months imprisonment, or both.

Article 15 allows the Chief Minister to delegate functions.

Article 16 limits the application of the Order to cases with connections with Jersey.

Article 17 gives the short title of the Order and provides for it to come into force the day after it is made.

The Order was made on 12th July 2010 and came into force on 13th July 2010.

WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Housing will table an answer to the following question asked by Senator F. du H. Le Gresley—

“Would the Minister advise why he has chosen to delegate to his Chief Officer the power to agree to the eviction of States tenants due to rent arrears or other breaches of the tenancy agreement?”

Will the Minister give exact details of how many tenants currently have rent arrears and the total amount of rent arrears outstanding?

Can the Minister advise whether his Department is on course to achieving the 2010 Business Plan target of reducing the percentage of rent arrears to 1.6 percent of gross rental income and, if not, whether he intends to use the power of eviction more frequently in the future or whether, in the current economic climate, he will exercise a more sympathetic stance?”

2. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. John—

“Following the announcement that a Board is proposed for the Airport and Harbours, will the Minister advise whether any meetings have been held with a Shadow Board/group of people to discuss the setting up of an interim Board, and if so would he provide details, including who was present, and advise whether any politicians (current or former) were also present?”

3. The Minister for Planning and Environment will table an answer to the following question asked by Senator B.E. Shenton –

“Given that Page 53 of the Annex to Financial Reports and Accounts 2009 states that £625,618 was transferred from the contingency vote to settle a planning appeal claim, can the Minister please give full details of this claim, and the total cost?”

4. The Minister for Economic Development will table an answer to the following question asked by the Deputy of Grouville –

“Would the Minister advise what has happened to the sculpture known as ‘Flight’ that was in the Airport Departure Hall and included a wishing well which was used by visitors and residents, the monies from which was then given to charities.

Would he also advise whether all other charity boxes have been removed from the Airport and, if so, explain why and confirm when they might be returned?”

5. The Minister for Economic Development will table an answer to the following question asked by the Deputy of Grouville –

“What measures and conditions, if any, is the Minister planning to lay down when Waitrose takes over certain outlets from Sandpiper, that they should support local produce?”

6. The Minister for Housing will table an answer to the following question asked by the Deputy of Grouville –

“Would the Minister advise whether persons arrested on arrival in the Island, who are then sentenced to more than 11 years at H.M.P. La Moye, can actually gain their Housing Qualifications whilst in Prison whilst never having worked in the Island or had any real connection to it?”

7. The Chief Minister will table an answer to the following question asked by the Deputy of St. Mary–

“Can the Chief Minister outline what has been done since the approval of the Strategic Plan in respect of the three commitments in section 8 (to encourage community involvement and voluntary service, work with the Parishes to develop community initiatives and preserve, enhance and promote community values)?”

8. The Chief Minister will table an answer to the following question asked by the Deputy of St. Mary–

“Following on from the comments to P.71 from the Chief Minister, will he formally undertake to publish, by department, salaries in bands of £5000?”

Further, to aid States members as they consider efficiency savings in the public sector, and to help the public to understand “where the money goes”, will the Minister also undertake to publish, by department, organisation charts which show, in outline, who does what within each department?”

9. The Minister for Planning and Environment will table an answer to the following question asked by the Deputy of St. Mary–

“Further to his answer to written question 5517 on 6th July 2010, would the Minister confirm that the report, when published, will include the latest research/findings/consensus on peak oil and its likely social and economic effects and that it will give references to the documents and reports it cites?”

10. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. Mary–

“Given that in his written answer 5520 on 6th July 2010, the Minister claimed that 64% of the 2% cuts were efficiency savings and 36% were service reductions, would the Minister provide for members a listing of the 2% reductions in expenditure, classified under these two headings?”

11. The Minister for Transport and Technical Services will table an answer to the following question asked by the Deputy of St. Mary–

“Following his written answer 5515 on 6th July 2010, in which the Minister advised that 11km of highway was of high priority for maintenance, can he explain what that means and advise whether there are cost implications and/or implications for the safety of road users if the work is not undertaken. Furthermore would he advise what the statutory position is regarding the Department’s task to maintain the Island’s roads in a safe condition?”

12. The Chairman of the Comité des Connétables will table an answer to the following question asked by Deputy M. Tadier of St. Brelade–

“Will the Chairman advise how many formal complaints there have been against honorary officers (with a breakdown by parish) in the last two years (2008 and 2009) and how many were upheld, and what the rank of officer against whom the complaint was brought was?”

Will the Chairman advise if the Constable is involved in anyway in the complaints/disciplinary process of any complaints of misconduct or other wrong doing of honorary police officers, and if so how?

If there is involvement, will the Chairman explain in what capacity and under what authority this involvement takes place?

Will the Chairman give the names of the six Connétables who still hold warrant cards and if there has been any discussion on the Comité of the appropriateness of Connétables having these?"

13. The Chairman of Privileges and Procedures Committee will table an answer to the following question asked by Deputy M. Tadier of St. Brelade–

“Will the Chairman advise if she is aware of any other national assembly, other than Jersey's, which has representatives who are police officers, and, if so, will she list them?

Will the Chairman advise if the Privileges and Procedures Committee will investigate whether it is best practice for police officers to be permitted to sit in the States Assembly as voting members?"

14. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy M. Tadier of St. Brelade–

“Following the recommendation in the recent report of the Public Election Working Group to change the opening hours of the polls from 8am to 9am, will the Chairman advise whether any analysis was undertaken on the potential reduction this would have on voter turn out before this recommendation was made and can she advise whether this is something the Committee unanimously supports?"

15. The Minister for Economic Development will table an answer to the following question asked by Deputy M. Tadier of St. Brelade–

“Will the Minister advise if there are any remaining creditors of Woolworths Plc yet to be paid?

How many creditors were there in total and how many of the creditors who made claims were paid and how many were not?

What proportion of these were Jersey creditors and what proportion were not?

Can the Minister confirm that local creditors are not being given preference over non local creditors?"

16. The Minister for Economic Development will table an answer to the following question asked by Deputy M. Tadier of St. Brelade–

“Given the Assembly's commitment to the diversification of the Island's industries in the Strategic Plan, and the need for new growth areas in these times of economic uncertainty, will the Minister advise if he would support the idea of Vodka production in the Island and, if so, what steps he will take to bring this about?

17. The Minister for Home Affairs will table an answer to the following question asked by the Deputy of St. John–

“Would the Minister advise on whose instructions it was that Operation Blast was instigated and whether the instructions came from outside or within the Island?"

If from off-Island was it from UK Security Services or elsewhere?

What action, if any, is to be taken to notify a member of the content of any file held on them?

What action, if any, will the Minister take against the instigator and can he confirm that the files are now closed?"

18. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. John–

“Given that berth holders were told the Marina would be closed from January 2010 for alterations, has the income for winter contracts dropped in comparison to last winter and, if so, by how much?

When will the proposed works be undertaken or has the work been abandoned?

Is the Minister satisfied with the take up of large super yacht moorings, and, if so, could he share with members what progress, if any, has been made in accommodating such vessels 12 months of the year?"

19. The Chief Minister will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier–

“Will the Chief Minister clarify the full reasons as to why the report into the issues surrounding the suspension process of the Chief Officer of the States of Jersey Police – promised to the Assembly to be completed in six weeks – has instead not been completed prior to the announcement that all disciplinary measures were to be dropped; further still, when will this report be completed and made available in full to all States Members?"

20. The Minister for Home Affairs will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier–

“Would the Minister confirm whether he has allowed the development and disseminating of information to the public of only critical evidence against the suspended Chief Officer of the States of Jersey Police whilst simultaneously accepting and supporting an investigation process that refused to receive or include evidence and witnesses that could contradict such evidence and, if so, does the Minister feel this to be congruent to the fundamental principles of natural justice?

Would the Minister further inform members whether he considers it correct in terms of natural justice that, having announced the abandonment of disciplinary action against the Chief Officer of the States of Jersey Police, he subsequently sought to use evidence from these inquiries to justify the suspension when the Chief Officer of the States of Jersey Police will himself have no right of reply?"

21. The Minister for Economic Development will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier–

“Given that anti-social behaviour late at night by young car drivers and motorcyclists has been a problem since at least August 2006 and continues to impact on residents of the Albert Quay Apartments, will the Minister advise whether there is any obstacle preventing the designation and sign posting of the area approaching the Lifeboat Café as a 'restricted access' area between the hours of 9.00pm to 6.00am; further still, will he support such a move and ensure that it is implemented over the course of the summer?"

22. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy

T.A. Vallois of St. Saviour–

“Could the Minister advise the exact amounts of income received per year from the taxes that were introduced as a result of the 2004 Fiscal Strategy Review?”

23. The Minister for Economic Development will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour–

“Given that a structural deficit cannot be met with spending cuts and increases in taxation alone, could the Minister advise what strategy he will be putting in place to achieve sustainable economic growth?”

24. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour–

“Given that under Priority 4 of the Strategic Plan 2009-2014, it was agreed that the Treasury and Resources department would "examine whether borrowing is an alternative and optional way forward for long-term capital projects", could the Minister explain the current status of this examination and whether this has been considered throughout the spending review?”

25. The Minister for Health and Social Services will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour–

“Would the Minister advise what the weekly cost of employing the interim Hospital Director is, showing a distinction between salary and other costs?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2010	First 15 minute period Minister	Second 15 minute period Minister
<u>2nd session</u>		
14th September	Social Security	Planning and Environment
28th September	Housing	Chief Minister
12th October	Transport and Technical Services	Treasury and Resources
19th October	Economic Development	Chief Minister
2nd November	Education, Sport and Culture	Health and Social Services
16th November	Home Affairs	Chief Minister
30th November	Social Security	Planning and Environment
7th December	Housing	Chief Minister