

STATES OF JERSEY ORDER PAPER

Tuesday 2nd March 2004

A. COMMUNICATIONS BY THE BAILIFF

Interception of Communications (Jersey) Law 1993: Report of the Commissioner for 2003. R.C.7/2004.

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road Racing (Hill Climbs and Sprint) (Jersey) Order 2004. R&O 12/2004.
Home Affairs Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of Deputy Sarah Craig Ferguson of St. Brelade from the Employment and Social Security Committee.

Appointment of President of the Environment and Public Services Committee.

Appointment of President of the Legislation Committee.

Nomination of Deputy Terence John Le Main of St. Helier as a member of the Overseas Aid Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)(a)

Jersey Child Care Trust: The Strategy (2002-2006), 'Two Years On':
October 2002 - October 2003.
Education, Sport and Culture Committee.

Jersey Youth Service: A Three-year Development Plan. R.C.8/2004.
Education, Sport and Culture Committee.

Draft Animal Welfare (Jersey) Law 200- (P.126/2003): amendments (P.126/2003 Amd.)– comments. P.126/2003.
Finance and Economics Committee. Amd.Com.

Château La Chaire, Rozel, St. Martin: restoration of gardens (P.142/2003) – comments. P.142/2003.
Economic Development Committee. Com.(2)

Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200- (P.29/2004): comments. P.29/2004.
Finance and Economics Committee. Com.

Matters presented under Standing Order 6A(1)(b)

24th February 2004

Births, marriages and deaths in 2003: statement.
Home Affairs Committee. R.C.6/2004.

Building a safer society (P.17/2004): comments.
Finance and Economics Committee. P.17/2004.
Com.

(b) Notification of Standing Order decisions

19th February 2004

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

(d) Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)

Draft Terms of Employment (Jersey) Regulations 200-.
Employment and Social Security Committee. P.36/2004.

(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)

24th February 2004

States Members’ Remuneration: increases for 2004 – rescindment
(P.11/2004) – amendment.
Senator J.A. Le Maistre. P.11/2004.
Amd.

Jersey Dental Scheme: appointment of Chairman.
Employment and Social Security Committee. P.32/2004.

Committee of Inquiry: construction of 76 houses at Jambart Lane,
St. Clement; and public consultation procedures.
Deputy R.G. Le Hérissier of St. Saviour. P.33/2004.

Draft Housing (Amendment No. 11) (Jersey) Law 200.
Housing Committee. P.34/2004.

Rent Control Tribunal: appointment of members.
Housing Committee. P.35/2004.

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

In accordance with Standing Order 22(3), the President of the Policy and Resources Committee has instructed the Greffier of the States to withdraw the proposition regarding the Manual Workers' Joint Council: membership, (P.174/2003 lodged "au Greffe" on 25th November 2003), the Committee having lodged a revised proposition on 17th February 2004.

In accordance with Standing Order 22(3), the Deputy R.G. Le Hérisier of St. Saviour has instructed the Greffier of the States to withdraw the proposition regarding Bus Strategy: implementation, (P.187/2003 lodged "au Greffe" on 9th December 2003).

THE STATES are asked to agree that the following matters lodged "au Greffe" be considered at their next meeting on 16th March 2004 -

Draft Animal Welfare (Jersey) Law 200-. P.126/2003.
Lodged: 19th August 2003.
Economic Development Committee.

Draft Animal Welfare (Jersey) Law 200- (P.126/2003): comments. P.126/2003.
Presented: 10th February 2004. Com.
Finance and Economics Committee.

Draft Animal Welfare (Jersey) Law 200- (P.126/2003): amendments. P.126/2003.
Lodged: 3rd February 2004. Amd.
Deputy of St. Martin.

Draft Animal Welfare (Jersey) Law 200- (P.126/2003): amendments P.126/2003.
(P.126/2003 Amd.)– comments. Amd.Com.
Presented: 2nd March 2004.
Finance and Economics Committee.

Draft Police Force (Amendment No. 10) (Jersey) Law 200. P.9/2004.
Lodged: 27th January 2004.
Home Affairs Committee.

Draft Police Force (Amendment No. 10) (Jersey) Law 200- (P.9/2004): P.9/2004. Amd.
amendment.
Lodged: 3rd February 2004.
Deputy of St. Martin.

Draft Customs and Excise (Amendment No. 2) (Jersey) Law 200. P.10/2004.
Lodged: 27th January 2004.
Home Affairs Committee.

Projet de Loi (200-) (Amendement No. 10) réglant la procédure P.13/2004.
criminelle.
Lodged : 3rd February 2004.
Comité de Législation.

Building a safer society. P.17/2004.
Lodged: 3rd February 2004.
Home Affairs Committee.

Building a safer society (P.17/2004): comments. Presented: 24th February 2004. <i>Finance and Economics Committee.</i>	P.17/2004. Com.
Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200-. Lodged: 17th February 2004. <i>Employment and Social Security Committee.</i>	P.29/2004.
Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200- (P.29/2004): comments. Presented: 2nd March 2004. <i>Finance and Economics Committee.</i>	P.29/2004. Com.
Bus Service tendering process: Committee of Inquiry. Lodged: 17th February 2004. <i>Policy and Resources Committee.</i>	P.31/2004.
Jersey Dental Scheme: appointment of Chairman. Lodged: 24th February 2004. <i>Employment and Social Security Committee.</i>	P.32/2004.
Draft Housing (Amendment No. 11) (Jersey) Law 200. Lodged: 24th February 2004. <i>Housing Committee.</i>	P.34/2004.
Rent Control Tribunal: appointment of members. Lodged: 24th February 2004. <i>Housing Committee.</i>	P.35/2004.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy G.P. Southern of St. Helier will ask questions of the President of the Finance and Economics Committee regarding proposed new tax measures.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Policy and Resources Committee will make a statement regarding Liberation 2005.

K. PUBLIC BUSINESS

Benefits paid by the Housing and Employment and Social Security Committees: protection. Lodged: 29th July 2003. <i>Deputy G.P. Southern of St. Helier.</i>	P.116/2003.
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Benefits paid by the Housing and Employment and Social Security Committees: protection (P.116/2003) – comments. Presented: 23rd September 2003. <i>Employment and Social Security Committee.</i>	P.116/2003. Com.
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<p>Benefits paid by the Housing and Employment and Social Security Committees: protection (P.116/2003) – comments. Presented: 23rd September 2003. <i>Housing Committee.</i></p>	<p>P.116/2003. Com.(2)</p>
<p>Benefits paid by the Housing and Employment and Social Security Committees: protection (P.116/2003) – comments. Presented: 18th November 2003. <i>Finance and Economics Committee.</i></p>	<p>P.116/2003. Com.(3)</p>
<p>Château La Chaire, Rozel, St. Martin: restoration of gardens. Lodged: 14th October 2003. <i>Connétable of St. Helier.</i></p>	<p>P.142/2003.</p>
<p>Château La Chaire, Rozel, St. Martin: restoration of gardens (P.142/2003) – comments. Presented: 17th February 2004. <i>Finance and Economics Committee.</i></p>	<p>P.142/2003. Com.</p>
<p>Château La Chaire, Rozel, St. Martin: restoration of gardens (P.142/2003) – comments. Presented: 2nd March 2004. <i>Economic Development Committee.</i></p>	<p>P.142/2003. Com.(2)</p>
<p>Draft European Communities (Treaty of Athens) (Jersey) Regulations 200-. Lodged: 27th January 2004. <i>Policy and Resources Committee.</i></p>	<p>P.7/2004.</p>
<p>Le Squez and part of Le Marais Estate, St. Clement: redevelopment. Lodged: 3rd February 2004. <i>Housing Committee.</i></p>	<p>P.19/2004.</p>
<p>Le Squez and part of Le Marais Estate, St. Clement: redevelopment (P.19/2004) – comments. Presented: 10th February 2004. <i>Finance and Economics Committee.</i></p>	<p>P.19/2004. Com.</p>
<p>Fairtrade Island. Lodged: 3rd February 2004. <i>Senator J.A. Le Maistre.</i></p>	<p>P.20/2004.</p>
<p>Fairtrade Island (P.20/2004): comments. Presented: 17th February 2004. <i>Environment and Public Services Committee.</i></p>	<p>P.20/2004. Com.</p>
<p>Data Protection Registrar: appointment. Lodged: 10th February 2004. <i>Finance and Economics Committee.</i></p>	<p>P.23/2004.</p>
<p>Le Coin Flats, Ann Street, St. Helier: sale to the Jersey Homes Trust. Lodged: 17th February 2004. <i>Housing Committee.</i></p>	<p>P.27/2004.</p>

Waterfront Enterprise Board: appointment of Chairman and director.
Lodged: 17th February 2004.
Policy and Resources Committee.

P.28/2004.

Manual Workers' Joint Council: membership.
Lodged: 17th February 2004.
Policy and Resources Committee.

P.30/2004.

M.N. DE LA HAYE
Greffier of the States

26th February 2004

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 12/2004

The effect of this Order is to allow the Jersey Old Motor Club to close and use the following roads in St. Helier for motor races (including practice) on the dates and between the times shown –

- (a) part of Victoria Avenue and one of the adjoining lay-bys, on 4th June 2004, between 7 p.m. and 11 p.m.;
- (b) part of Westmount Road, on 5th June 2004, between 10 a.m. and 5 p.m.; and,
- (c) parts of Pier Road, Mount Bingham, South Hill, Fort Regent Road, and the car parks at South Hill and La Collette Gardens, on 6th June 2004, between 10 a.m. and 5 p.m.

The Order was made by the Home Affairs Committee on 19th February 2004.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

19th February 2004

- (a) as recommended by the Environment and Public Services Committee, the sale to the Parish of St. Brelade of a strip of land at Field Nos. 533 and 535, La Route des Camps, St. Brelade, required for road improvement purposes (shown on Drawing No. STBRC/1), for a nominal sum of £10, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (b) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Norwood Villa Investments Limited (as owners of the property known as Norwood Villa, St. Saviour's Road, St. Helier) in order to clarify the boundary with Westley Court, with the public to be given right to join against the north face of the north wall of Norwood Villa for the benefit of the existing gable and sections of fencing and so forth on Westley Court, as currently established, on this area, together with appropriate rights of access onto the company's property for repair and maintenance purposes. Each party was to be responsible for its own legal expenses arising from this transaction;
- (c) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. John Herbert Falla of the three-bedroom property known as Millreef, 2 Glendale Close, St. Clement, for a period of three years from 1st February 2004 at a commencing annual rent of £17,280 payable quarterly in advance, subject to annual review in line with the Jersey Retail Price Index, with all other terms and conditions to remain as in the original lease agreement and on the basis that each party would be responsible for its own legal costs in relation to this transaction; and,
- (d) as recommended by the Health and Social Services Committee –
 - (i) the entering into of a Deed of Arrangement with Mr. Edward Graham Mellish Chaplin, Mrs. Susan Lilian Main, Née Chaplin, and Miss Catherine Alexandra Chaplin (joint owners of La Preference Cottage, La Grande Route de St. Martin, St. Martin) in order to clarify the boundary with La Preference and to formalise rights of way and service rights over the section of shared driveway; and
 - (ii) the cession to the owners of La Preference Cottage of the existing granite lean-to store (as identified on Drawing No. 16/125/01) in exchange for payment to the Committee of a maximum sum of £7,500 to enable it to construct a new store of equivalent size at La Preference, including blocking-up of the existing opening in the granite lean-to store, removal of electrical wiring, and cutting of a new opening in the north wall so as to allow access into an existing adjoining store already belonging to La Preference Cottage. Possession of the existing granite lean-to store would be deferred until the new store had been completed and paid for by the owners of La Preference Cottage by means of a single lump sum payment upon completion of the new store. Each party was to be responsible for its own legal fees in connexion with the drafting and passing of the contract through the Royal Court arising from this transaction, and each party would also pay 50 per cent of the land surveyor's fee of £523.75 for the production of the said Drawing No. 16/125/01.

QUESTION PAPER

(See Item G)

Deputy G.P. Southern of St. Helier, will ask the following questions of the President of the Finance and Economics Committee -

1. The zero/ten tax package proposed by the Committee rejects both payroll tax and company property tax as mechanisms to recoup the resulting loss of revenue.

Would the President –

- (a) outline what measures the Committee proposes to generate some revenue from business, or
 - (b) explain to members why the Committee has departed from previous policy of generating some income through alternative company tax measures?
2. Would the President inform members whether, as a result of the Committee's tax proposals –
 - (a) Island residents will pay more tax and non-island residents will pay less?
 - (b) workers will pay more tax and companies will pay less? and,
 - (c) middle-to-high earners will pay more tax and the truly rich will continue to pay less?
3. Concerning the proposal to gradually reduce allowances for those households earning between £80,000 and £150,000, will the President explain to members –
 - (a) how the concept of 'household income' will work when husband and wife can opt to be taxed separately?
 - (b) how many steps will be introduced and at which points in the range of incomes they will be placed?
 - (c) what measures the Committee will put in place to avoid creating an "income-trap", whereby those who can, might take steps to reduce their income to avoid entering the next band of reduction in allowances? and,
 - (d) the Committee's reasoning in introducing a progressive element over this range, whilst allowing regression at higher salaries, and whether this is considered to be fair?
4. Would the President inform members whether the zero/ten proposals, in making no mention of 'user pays' charges as a means to replace the lost tax revenues, means the end of this concept?
5. Will the President inform members whether the Committee will be giving urgent consideration to measures to tax those whose income is wholly or largely unearned?