

STATES OF JERSEY ORDER PAPER

Tuesday 25th November 2003

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Merchant Shipping (Small Ships Register) (Amendment No. 7) R&O 126/2003.
(Jersey) Order 2003.
Harbours and Airport Committee.

Pilotage (Dues and Fees) (Jersey) Order 2003. R&O 127/2003.
Harbours and Airport Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

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

States Members' remuneration: abolition of means testing P.145/2003.
(P.145/2003) – comments. Com.(2)
Finance and Economics Committee.

States Members' remuneration: establishment of an Independent P.146/2003.
Review Body (P.146/2003) – comments. Com.
Finance and Economics Committee.

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

(b) Notification of Standing Order decisions

(c) Notification of acceptance of tenders

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

Draft Family Allowances (Jersey) Regulations 200-. P.167/2003.
Employment and Social Security Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 58) P.168/2003.
(Jersey) Regulations 200-.
Employment and Social Security Committee.

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

(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

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting on 2nd/3rd December 2003 -

Budget 2004.

Lodged: 4th November 2003.

Finance and Economics Committee.

Budget 2004: amendment.

P.160/2003.

Lodged: 18th November 2003.

Deputy of St. John.

Budget 2004: second amendment.

P.165/2003.

Lodged: 18th November 2003.

Deputy G.P. Southern of St. Helier.

Budget 2004: third amendment.

P.166/2003.

Lodged: 18th November 2003.

Deputy G.P. Southern of St. Helier.

Draft Finance (Jersey) Law 200-.

P.158/2003.

Lodged: 18th November 2003.

Finance and Economics Committee.

Draft Income Tax (Amendment No. 23) (Jersey) Law 200.

P.159/2003.

Lodged: 18th November 2003.

Finance and Economics Committee.

Public Employees Contributory Retirement Scheme Committee of Management: membership.

P.155/2003.

Lodged: 11th November 2003.

Policy and Resources Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The Deputy of St. John will ask a question of the Chairman of the Comité des Connétables regarding utility services provided under roadways.

The Deputy of St. Peter will ask a question of the President of the Policy and Resources Committee regarding expenditure on corporate IT.

The Deputy of St. John will ask a question of the President of the Economic Development Committee regarding matters relating to the Guernsey Fishing Licensing Scheme.

Senator S. Syvret will ask a question of the President of the Privileges and Procedures Committee regarding States members' income support.

The Deputy of St. John will ask a question of the President of the Policy and Resources Committee (in his capacity as Vice-Chairman of the Emergencies Council) regarding the Emergencies Council.

H. MATTERS OF PRIVILEGE
I. PERSONAL STATEMENTS
J. COMMITTEE STATEMENTS
K. PUBLIC BUSINESS

| | |
|--|------------------------|
| Draft Road Traffic (No. 55) (Jersey) Regulations 200. Lodged: 11th November 2003. <i>Deputy of St. Martin.</i> | P.157/2003. |
| Draft Road Traffic (No. 55) (Jersey) Regulations (P.157/2003): amendment. <i>Deputy G.C.L. Baudains of St. Clement.</i> <i>(Attached).</i> | P.157/2003. Amd. |
| States Members' remuneration: abolition of means testing. Lodged: 21st October 2003. <i>Privileges and Procedures Committee.</i> | P.145/2003. |
| States Members' remuneration: abolition of means testing (P.145/2003) – comments. Presented: 11th November 2003. <i>Employment and Social Security Committee.</i> | P.145/2003. Com. |
| States Members' remuneration: abolition of means testing (P.145/2003) – comments. Presented: 25th November 2003. <i>Finance and Economics Committee.</i> | P.145/2003. Com.(2) |
| States Members' remuneration: abolition of means testing (P.145/2003) – amendment. <i>Deputy of St. Mary.</i> <i>(attached).</i> | P.145/2003. Amd. |
| States Members' remuneration: establishment of an Independent Review Body. Lodged: 21st October 2003. <i>Privileges and Procedures Committee.</i> | P.146/2003. |
| States Members' remuneration: establishment of an Independent Review Body (P.146/2003) – comments. Presented: 25th November 2003. <i>Finance and Economics Committee.</i> | P.146/2003. Com. |
| Draft Road Traffic (No. 54) (Jersey) Regulations 200. Lodged: 4th November 2003. <i>Home Affairs Committee.</i> | P.151/2003. |
| Jersey 65+ Health Plan. Lodged: 11th November 2003. <i>Employment and Social Security Committee.</i> | P.153/2003. |

M.N. DE LA HAYE
Greffier of the States

20th November 2003

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 126/2003

The effect of this Order is to increase from £18.30 to £19.00 the fee for the registration of a ship in the small ships register. It reflects an increase of 3.8 per cent.

The Order was made by the Harbours and Airport Committee on 19th November 2003, and comes into force on 1st January 2004.

R&O 127/2003

The purpose of this Order is to increase pilotage dues and certain licence fees by an average of 2.5%.

The Order was made on 19th November 2003, and comes into force on 1st January 2004.

QUESTION PAPER

(See Item G)

The Deputy of St. John will ask the following question of the Chairman of the Comité des Connétables –

- (a) Over recent years the utility companies have been digging up the roads to lay services but more recently the Jersey Electricity Company Limited (JEC) has been selling the right to use the fibre optic cables placed under the Island's roads to private companies. Would the Chairman advise members whether the JEC notified the relevant Parishes that it intended to lay the fibre optic cable when laying electrical cable under the road surface or whether notification was only given in respect of the laying of the electrical cable?
- (b) As the JEC is now charging rental on this fibre optic cable to Newtel and Jersey Telecom, would the Chairman inform members –
 - (i) whether the relevant Parishes know where the cable is within the road structure of their Parish, whether there is a rental received by the Parishes for this, and, if so, whether this is a flat rental common to all relevant Parishes?
 - (ii) whether the JEC, and other utility service providers, are treated as occupiers and therefore pay Parish rates on the respective services that lie under Parish roads and, if not, whether the Comité has any plans to promote a change in this area?

The Deputy of St. Peter will ask the following question of the President of the Policy and Resources Committee –

Would the President advise members –

- (a) whether the Committee is satisfied that corporate expenditure on IT since 2000 demonstrates value for money and has delivered tangible savings? and,
- (b) what steps, if any, is the Committee taking to demonstrate that the States will receive value for money from the £23 million budget for corporate IT identified in the proposed Budget for 2004-2008?

The Deputy of St. John will ask the following question of the President of the Economic Development Committee –

Would the President advise members –

- (a) whether the high level meetings in Guernsey and in the United Kingdom to discuss the Guernsey Fishing Licensing Scheme have taken place, and, if so, the outcomes?
- (b) whether the Committee's budget will provide financial assistance to those fishermen appealing to fish within Guernsey waters, and if not, state the reasons why? and
- (c) whether a number of Jersey fishing licences have been issued to Guernsey fishermen recently and if so, would he supply details?

Senator S. Syvret will ask the following question of the President of the Privileges and Procedures Committee –

Would the President advise members whether any mechanism exists by which members of the States can avoid the present income supplement means test by re-arranging their financial affairs, and, if so, provide a

detailed description of how this operates?

The Deputy of St. John will ask the following question of the President of the Policy and Resources Committee (in his capacity as Vice-Chairman of the Emergencies Council) –

- (a) Under the Emergency Measures Plan, historically the Island held three months food supply in the Island. In recent times these food stocks have been reduced. Given that all food carries a sell-by date, will the President indicate, in weeks and months, what food stocks are held in the event of an emergency?;
- (b) earlier in 2003, I had a meeting with the Emergencies Council and was given an assurance that an updated emergency manual, namely an Emergency Measures Plan would be forthcoming. Will the President give details of when the said Plan will be forthcoming?;
- (c) will the President inform members whether the updated Emergency Measures Plan will be presented to the States for consideration, and , if not, the reasons why?

DRAFT ROAD TRAFFIC (No. 55) (JERSEY) REGULATIONS 200 (P.157/2003): AMENDMENTS

PAGE 3, REGULATION 2 –

In paragraph (c) of Regulation 2, in subparagraph (a) of the inserted paragraph (3CA), for the word “without any alteration to the class or description” substitute the words “without any addition to the classes or descriptions”.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT

P.157/2003.Amd.

REPORT

I'm concerned that this helpful proposition will exclude those members of the public who wish to renew their licence before the expiry date but who also wish to delete a category (I refer to category C– heavy goods).

It's quite common for those people who are at an age where medical reports have to be submitted with their licence to opt to remove that category when they no longer need it in order to avoid the inconvenience and expense of a medical examination.

I believe the wording of paragraph (3CA) inserted by Regulation 2 excludes those people and thereby forces them to wait until their licence expires before they can renew it, unlike those who wish to renew but make no changes. My amendment therefore seeks to remove this anomaly.

There are no financial or manpower implications for the States arising from this amendment.

STATES MEMBERS' REMUNERATION: ABOLITION OF MEANS TESTING (P.145/2003) –
AMENDMENT

In paragraph (d)(i), after the words “end of 2003” insert the words “, or by 2.5%, whichever figure is the lower”.

DEPUTY OF ST. MARY

P.145/2003.Amd.

REPORT

It should be clear to all that the States must curtail its expenditure. The largest element of States spending relates to staff costs. It is proposed that the increase in staff remuneration for 2004 should be no more than 2.5%. It seems to me that for States members to agree an increase in their income support over and above this figure would be inappropriate.

If all States members draw their full entitlement the following will be the position –

Example 1

| | £ |
|---|-----------|
| Assuming Jersey RPI is 3.5% at December 2003, the amount payable as proposed in P.145/2003 is 3.0% increase (3.5% minus 0.5%) or £29,467 x 53 = | 1,561,751 |
| Amount payable as proposed in this amendment 2.5% =£29,325 x 53 = | 1,554,225 |
| Saving | 7,526 |

Example 2

| | £ |
|--|-----------|
| Assuming Jersey RPI is 2.8% at December 2003, the amount payable as proposed in P.145/2003 is 2.3% increase (2.8.% minus 0.5%) or £29,267 x 53 = | 1,551,151 |
| Amount payable as proposed in this amendment is 2.3% (being the lower of 2.5% or 2.8% minus 0.5%), or £29,267 x 53 = | 1,551,151 |

Although the differences in the percentage increases are small, I believe the message is clear. In my view it is an important for States members to take the lead and set an example on this issue.

The financial implications are as set out above, and there are no additional manpower implications.