

STATES OF JERSEY ORDER PAPER

Tuesday 1st March 2011

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

C. DOCUMENTS PRESENTED OR LAID

Electoral Commission: establishment (P.15/2011) – comments. P.15/2011.
Presented: 18th February 2011. Com.
Privileges and Procedures Committee.

Draft States of Jersey (Miscellaneous Provisions) Law 201-: request to Privy P.26/2011.
Council (P.26/2011) – comments. Com.
Presented: 23rd February 2011.
Privileges and Procedures Committee.

Births, Marriages and Deaths in 2010: statement. R.14/2011.
Presented: 21st February 2011.
Minister for Home Affairs.

Criminal Offences Confiscations Fund: Financial Statements for year ended R.15/2011.
31st December 2006.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Criminal Offences Confiscations Fund: Financial Statements for year ended R.16/2011.
31st December 2007.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Criminal Offences Confiscations Fund: Financial Statements for year ended R.17/2011.
31st December 2008.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Criminal Offences Confiscations Fund: Financial Statements for year ended R.18/2011.
31st December 2009.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Drug Trafficking Confiscations Fund: Financial Statements for year ended 31st R.19/2011.
December 2006.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Drug Trafficking Confiscations Fund: Financial Statements for year ended 31st R.20/2011.
December 2007.
Presented: 22nd February 2011.
Minister for Treasury and Resources.

Drug Trafficking Confiscations Fund: Financial Statements for year ended 31st December 2008.
Presented: 22nd February 2011.
Minister for Treasury and Resources. R.21/2011.

Drug Trafficking Confiscations Fund: Financial Statements for year ended 31st December 2009.
Presented: 22nd February 2011.
Minister for Treasury and Resources. R.22/2011.

D. NOTIFICATION OF LODGED PROPOSITIONS

Electoral Commission: establishment (P.15/2011) – amendment.
Lodged: 22nd February 2011.
Senator B.E. Shenton. P.15/2011.
Amd.

Electoral Commission: establishment (P.15/2011) – second amendment.
Lodged: 22nd February 2011.
Deputy of St. Mary. P.15/2011.
Amd.(2)

Electoral Commission: establishment (P.15/2011) – second amendment (P.15/2011 Amd.(2))– amendment.
Lodged: 22nd February 2011.
Senator B.E. Shenton. P.15/2011.
Amd.(2)
Amd.

Historical Child Abuse: request to Council of Ministers (P.19/2011) – amendment (P.19/2011 Amd.)– amendment.
Lodged: 23rd February 2011.
Deputy M. Tadier of St. Brelade. P.19/2011.
Amd.Amd.

States Strategic Plan: annual debate on progress.
Lodged: 18th February 2011.
Deputy P.V.F. Le Claire of St. Helier. P.27/2011.

Draft Licensing (No. 17) (Jersey) Regulations 2011.
Lodged: 22nd February 2011.
Minister for Economic Development. P.28/2011.

Draft Income Support (Amendment No. 6) (Jersey) Regulations 2011.
Lodged: 22nd February 2011.
Minister for Social Security. P.29/2011.

Salaries over £100,000: notification to States Assembly.
Lodged: 23rd February 2011.
Deputy R.G. Le Hérissier of St. Saviour. P.30/2011.

Committee of Inquiry: States owned or controlled utilities.
Lodged: 24th February 2011.
Senator A. Breckon. P.31/2011.

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 Chairman of the Comité des Connétables will table an answer to a question asked by Senator J.L. Perchard regarding kerbside collection of metal cans and tins.
2. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the Fiscal Stimulus spend
3. The Minister for Health and Social Services will table an answer to a question asked by Senator A. Breckon regarding the number of staff on restricted clinical duties.
4. The Minister for Housing will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding Pomme d'Or Farm.
5. The Minister for Housing will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the replacement of heating systems.
6. H.M. Attorney General will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding disciplinary provisions for lawyers in public service.
7. The Minister for Home Affairs will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the draft Discrimination (Jersey) Law 201-.
8. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the draft Freedom of Information (Jersey) Law 201- and the Media Relations code of conduct.
9. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Martin regarding the Historical Child Abuse Enquiry.
10. The Chief Minister will table an answer to a question asked by the Deputy of St. Martin regarding the Historical Child Abuse Inquiry.
11. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding presiding over court cases.
12. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the rate of tax for 1(1)(k) residents.
13. The Minister for Economic Development will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the establishment of the Harbours and Airport Shadow Board.
14. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding compliance with the Public Elections (Expenditure and Donations) (Jersey) Regulations 2008.
15. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding remuneration to the Magistrate Designate.
16. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding amendments to the zero-ten policy.
17. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Jersey's position on Human Rights violations.
18. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding uncontested elections.
19. 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 salary of the post of Hospital Managing Director.
20. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding redundancies in the public sector.
 21. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the tax revenue from non-finance companies.
 22. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax revenue from the 10% company tax rate.
 23. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Advance to Work schemes.
 24. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the appointment process of the Hospital Managing Director.
 25. The Minister for Health and Social Services will table an answer to a question asked by Deputy D.J. de Sousa of St. Helier regarding the review of mental health.
 26. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding road traffic accidents on Bath Street.
 27. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the civil servants' disciplinary and capability procedure.
 28. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding a study on comparative 'total tax take' in competitor jurisdictions.
 29. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the arrangements for ceasing employment due to incapacity.
 30. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding company income tax paid by industry.
 31. The Minister for Economic Development will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding price promotions on alcohol.
 32. The Minister for Health and Social Services will table an answer to a question asked by Deputy D.J. de Sousa of St. Helier regarding the morale of her department.

(b) – Oral Questions (120 minutes)

1. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –

“Given the recent media coverage regarding the salary of a senior civil servant, which has provoked an angry response from the public, does the States Employment Board recognise the public disapproval of such high salaries and what actions, if any, will the Board be implementing to address this issue?”

2. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Health and Social Services -

“What alternatives were considered to the appointment of KPMG as consultants to assess Jersey's Health and Social Services' policy priorities and why were they rejected?”

3. The Deputy of St. Mary will ask the following question of H.M. Attorney General –

- “Can the Attorney General state what advice, guidance or legal constraints were operating during the investigation by the P&E department of the alleged pollution incident which happened at La Collette during the construction of the incinerator on or around April 2009, which had the effect that the principal witness and the man whose job it was to ensure that the work was done properly was not interviewed during the investigation?”
4. Deputy A.E. Jeune of St. Brelade will ask the following question of the Chairman of the Health, Social Security and Housing Scrutiny Panel –
- “Would the Chairman please advise what consideration his Panel has given to hospital waiting times and to hospital projects (for example information systems, with regard to Value for Money and benefits realization), and if the reply in ‘none’, please explain why not?”
5. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Chief Minister –
- “Under the proposed new migration law coming to the States in May, will the 10 year qualifying period be replaced by a right for all to purchase a home if Jersey is their place of abode and, if so, what is the timescale for that to be enacted?”
6. The Deputy of St. Martin will ask the following question of the Chief Minister -
- “The Chief Minister has stated that paragraph (d) of the Napier Terms of Reference was included in the Ministerial Decision he signed on 13th April 2011 but this paragraph was not part of the Terms of Reference set out in the final report; would the Chief Minister therefore give precise information about when this paragraph was removed?”
7. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development -
- “Will the Minister inform members how many complaints have been made to his Department against the conduct of Jersey debt collection agencies over the past three years?”
8. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister–
- “Will the Minister clarify what percentage of the total States wage bill is taken up by the salaries of those individuals holding 'managerial' roles as opposed to 'frontline' staff; further still what is the figure for those holding 'Head of Department' roles or above?”
9. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Health and Social Services-
- “Will the Minister advise what bench marks and evaluation process were utilized in deciding the salary of the new Hospital Managing Director; who supervised the process and, given that the figure provided to the States Assembly was incorrect, would the Minister advise what the true salary is and who was responsible for the miscalculation?”

10. Deputy D.J. de Sousa of St. Helier will ask the following question of the Minister for Health and Social Services –

“Would the Minister inform members of the process used in deciding whether to extend the Hospital Managing Director’s employment contract?”

11. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Health and Social Services –

“Following public concern over salaries within the Hospitals, will the Minister publish the salaries and remuneration packages of the senior management team of all areas of her Department, including Social Services, listed by job title?”

12. Senator S.C. Ferguson will ask the following question of the Chief Minister–

“Will the Chief Minister explain why the draft Migration legislation has taken so long to come to the Assembly?”

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

“Will the Minister inform members what mechanisms he has under consideration to replace the income tax revenue from non-finance companies lost through the replacement of the 20% rate by a zero-tax rate?”

14. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Planning and Environment –

“Does the Minister believe that responsibility for the future of tidal power and renewable energy in this Island is best shared with the Economic Development Department and, if so, will he confirm that all and any changes regarding responsibilities for energy, and any future energy schemes, will be lodged for States’ approval and not just agreed by Ministers?”

15. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Housing –

“What measures, if any, does the Minister plan to introduce in order to eliminate the letting of sub-standard rental accommodation in the island?”

16. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“Does H.M Attorney General make decisions on prosecutions under the Data Protection (Jersey) Law 2005 in place of the Data Protection Commissioner when that individual is conflicted, and could he explain what the difference is between a 'regulatory' and a 'criminal' breach of the Data Protection Law?”

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

“Is the Minister satisfied that he has achieved the correct balance between personal and company tax revenues in the economy following the full implementation of the zero/ten tax régime?”

18. The Deputy of St. Martin will ask the following question of the Chief Minister -

“It has been announced that in accordance with the terms of his contract the Chief Executive and the Chief Minister have agreed to a mutual termination of his employment. Will the Chief Minister inform Members whether the recent findings in the Napier Report influenced the decision?”

19. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Health and Social Services –

“Why was £26,000 estimated for the cost of the Interim Hospital Managing Director in December 2010, was that sum paid, and if not, why not?”

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

1st question period – Minister for Planning and Environment

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Education, Sport and Culture will make a statement regarding Jersey examination results.

L. PUBLIC BUSINESS

Historical Child Abuse: request to Council of Ministers. P.19/2011.
Lodged: 2nd February 2011.
Senator F. du H. Le Gresley.

Historical Child Abuse: request to Council of Ministers (P.19/2011) – P.19/2011.
comments. Com.
Presented: 14th February 2011.
Education and Home Affairs Scrutiny Panel.

Historical Child Abuse: request to Council of Ministers (P.19/2011) – P.19/2011.
amendment. Amd.
Lodged: 15th February 2011.
Deputy of St. Martin.

Historical Child Abuse: request to Council of Ministers (P.19/2011) – P.19/2011.
amendment (P.19/2011 Amd.)– amendment. Amd.Amd.
Lodged: 23rd February 2011.
Deputy M. Tadier of St. Brelade.

Housing issues in Jersey. P.189/2010.
Lodged: 21st December 2010.
Deputy P.V.F. Le Claire of St. Helier.

Draft Gambling (Remote Gambling Disaster Recovery) (Amendment) (Jersey) P.199/2010.
Regulations 201-.
Lodged: 31st December 2010.
Minister for Economic Development.
(Continuation of second reading – principles approved on 16th February 2011)

<p>Standing Orders: time limits on speeches during debates. Lodged: 4th January 2011. <i>Senator P.F. Routier.</i></p>	P.1/2011.
<p>Composition of the States: implementation of remaining Clothier reforms – referendum. Lodged: 18th January 2011. <i>Deputy S. Pitman of St. Helier.</i></p>	P.3/2011.
<p>Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – comments. Presented: 14th February 2011. <i>Council of Ministers.</i></p>	P.3/2011. Com.
<p>Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – amendment. Lodged: 26th January 2011. <i>Senator F. du H. Le Gresley.</i></p>	P.3/2011. Amd.
<p>Electoral Commission: establishment. Lodged: 31st January 2011. <i>Deputy of St. Mary.</i></p>	P.15/2011.
<p>Electoral Commission: establishment (P.15/2011) – comments. Presented: 18th February 2011. <i>Privileges and Procedures Committee.</i></p>	P.15/2011. Com.
<p>Electoral Commission: establishment (P.15/2011) – amendment. Lodged: 22nd February 2011. <i>Senator B.E. Shenton.</i></p>	P.15/2011. Amd.
<p>Electoral Commission: establishment (P.15/2011) – second amendment. Lodged: 22nd February 2011. <i>Deputy of St. Mary.</i></p>	P.15/2011. Amd.(2)
<p>Electoral Commission: establishment (P.15/2011) – second amendment (P.15/2011 Amd.(2))– amendment. Lodged: 22nd February 2011. <i>Senator B.E. Shenton.</i></p>	P.15/2011. Amd.(2) Amd.
<p>Green waste from commercial operators: introduction of charge. Lodged: 4th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i></p>	P.20/2011. (re-issue)
<p>Draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-: request to Privy Council. Lodged: 16th February 2011. <i>Deputy of Grouville.</i> <i>(Cannot be debated until 2nd March 2011)</i></p>	P.26/2011.
<p>Draft States of Jersey (Miscellaneous Provisions) Law 201-: request to Privy Council (P.26/2011) – comments. Presented: 23rd February 2011. <i>Privileges and Procedures Committee.</i></p>	P.26/2011. Com.

M. ARRANGEMENT OF PUBLIC BUSINESS

15th March 2011

- Draft Loi (No. 7) (201-) concernant la charge de Juge d'Instruction. P.148/2010.
Lodged: 19th October 2010.
Chief Minister.
- Pomme d'Or Farm: refurbishment. P.177/2010.
Lodged: 1st December 2010.
Deputy A.K.F. Green of St. Helier.
- Ratification of a Double Taxation Agreement between the States of Jersey and the Government of Estonia. P.7/2011.
Lodged: 24th January 2011.
Chief Minister.
- Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Canada. P.8/2011.
Lodged: 24th January 2011.
Chief Minister.
- Geneva Conventions: Additional Protocol III – extension to Jersey. P.9/2011.
Lodged: 24th January 2011.
Chief Minister.
- Draft Public Elections (Amendment No. 4) (Jersey) Law 201-. P.14/2010.
Lodged: 27th January 2011.
Privileges and Procedures Committee.
- Importation of Fireworks in 2007 for a Charity Event: investigation. P.21/2011.
Lodged: 8th February 2011.
Deputy of St. John.
- Elected members' access to information: media releases. P.22/2011.
Lodged: 14th February 2011.
Deputy P.V.F. Le Claire of St. Helier.
- Income Tax: introduction of higher rate. P.23/2011.
Lodged: 14th February 2011.
Deputy G.P. Southern of St. Helier.
- Esplanade Quarter: deferment of works. P.24/2011.
Lodged: 15th February 2011.
Deputy of St. John.
- States Strategic Plan: annual debate on progress. P.27/2011.
Lodged: 18th February 2011.
Deputy P.V.F. Le Claire of St. Helier.
- Salaries over £100,000: notification to States Assembly. P.30/2011.
Lodged: 23rd February 2011.
Deputy R.G. Le Hérissier of St. Saviour.

29th March 2011

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition. Lodged: 1st October 2010. <i>Connétable of St. Clement.</i>	P.131/2010.
Samarès Nursery site, St. Clement: removal from draft Island Plan– petition (P.131/2010) – comments. Presented: 22nd December 2010. <i>Minister for Planning and Environment.</i>	P.131/2010. Com.
Jersey Financial Services Commission: imposition of fines. Lodged: 19th October 2010. <i>Senator A. Breckon.</i>	P.150/2010.
Assistant Ministers: appointment by the States. Lodged: 19th January 2011. <i>Deputy of St. John.</i>	P.6/2011.
Committee of Inquiry: States owned or controlled utilities. Lodged: 24th February 2011. <i>Senator A. Breckon.</i>	P.31/2011.

5th April 2011

Speed Limits: revised policy. Lodged: 2nd November 2010. <i>Minister for Transport and Technical Services.</i>	P.167/2010.
Speed Limits: revised policy (P.167/2010) – amendment. Lodged: 29th December 2010. <i>Minister for Economic Development.</i>	P.167/2010. Amd.
Speed Limits: revised policy (P.167/2010) – second amendment. Lodged: 5th January 2011. <i>Connétable of St. Helier.</i>	P.167/2010. Amd.(2)
Speed Limits: revised policy (P.167/2010) – third amendment. Lodged: 13th January 2011. <i>Deputy M.R. Higgins of St. Helier.</i>	P.167/2010. Amd.(3)
Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201-. Lodged: 16th February 2011. <i>Chief Minister.</i>	P.25/2011.
Draft Licensing (No. 17) (Jersey) Regulations 201-. Lodged: 22nd February 2011. <i>Minister for Economic Development.</i>	P.28/2011.
Draft Income Support (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 22nd February 2011. <i>Minister for Social Security.</i>	P.29/2011.

3rd May 2011

North of Town Masterplan (Revised). Lodged: 21st December 2010. <i>Minister for Planning and Environment.</i>	P.190/2010.
North of Town Masterplan (Revised) (P.190/2010): amendment. Lodged: 22nd December 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.190/2010. Amd.
North of Town Masterplan (Revised) (P.190/2010): second amendment. Lodged: 10th January 2010. <i>Deputy A.K.F. Green of St. Helier.</i>	P.190/2010. Amd.(2)
North of Town Masterplan (Revised) (P.190/2010): third amendment. Lodged: 25th January 2011. <i>Connétable of St. Helier.</i>	P.190/2010. Amd.(3)
North of Town Masterplan (Revised) (P.190/2010): fourth amendment. Lodged: 15th February 2011. <i>Deputy of St. Mary.</i>	P.190/2010. Amd.(4)

M.N. DE LA HAYE
Greffier of the States

24th February 2011

Note –

In accordance with the meeting dates fixed for 2011 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 2nd March and Thursday 3rd March 2011.

WRITTEN QUESTIONS

(See Item I(a))

1. The Chairman of the Comité des Connétables will table an answer to the following question asked by Senator J.L. Perchard –

“Does the Comité des Connétables consider it unacceptable to burn an estimated 40 million used metal cans and tins in the Island’s incinerator and, if so, will they agree to formally canvass the views of their parishioners over a proposal to introduce a monthly kerbside collection for metal cans and tins and if not, why not?”

2. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. John -

“Further to the Chief Minister’s February press statement concerning the Fiscal Stimulus spend of £44 million, would the Minister advise the total amount spent to date, the amount remaining and whether any of that remainder will be redirected to other projects and, if so, provide details?”

3. The Minister for Health and Social Services will table an answer to the following question asked by Senator A. Breckon -

“Would the Minister give details of the number of Consultants and/or Doctors and Senior Nursing staff on restricted clinical duties, and advise whether they are in receipt of full pay or reduced pay, broken down into –

- (i) the length of time each or any of the above has been placed on restricted clinical duties;
- (ii) number of any locums bought in to cover duties not being presently performed by the Consultants or doctors;
- (iii) the cost to the department of locums required to cover (ii) above;
- (iv) the number of any additional senior nurses bought in to cover any short fall in numbers caused by senior nursing staff on restricted clinical duties, as above, and costs?”

4. The Minister for Housing will table an answer to the following question asked by Deputy J.A. Martin of St. Helier -

“Would the Minister advise the Assembly where the money was found to undertake repairs to Pomme d’Or Farm?”

Were the funds diverted from the monies set aside within the last 4 Business Plans to refurbish La Collette Flats (works which tenants were told would start this year and have again been delayed) and, if so, when will La Collette flats now be refurbished?”

5. The Minister for Housing will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Can the Minister identify where the funding has come from to replace many good working heating systems with electric heating and state in which Annual Business Plans this money was included? Would he also give the overall cost for all the estates that have been converted to electricity and also the projected cost for the estates that still need to be done?”

6. H.M. Attorney General will table an answer to the following question asked by Deputy R.G. Le Hérisier of St. Saviour -

“To what extent, if any, are the provisions of Article 3 of the Law Society of Jersey Law 2005

replicated in procedures that apply to lawyers in public service and, if there is no replication, what disciplinary provisions, if any, exist to deal with complaints from the public?"

7. The Minister for Home Affairs will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour -

“When does the Minister propose to lodge the Draft Discrimination (Jersey) Law 201-?”

8. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour -

“When does the Committee propose to lodge the draft Freedom of Information (Jersey) Law 201- and the proposition governing a code of conduct for the media (Media relations – Code of Conduct) in the Assembly?”

9. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. Martin -

“On 8th September 2008 the States approved P.91/2008 as amended to permit the withdrawal of up to an additional £7,500,000 from the consolidated fund as a Contingency sum to meet anticipated expenditure identified by various Departments in relation to the Historic Child Abuse Enquiry. Will the Minister provide details of -

- (a) the money spent by the identified Departments between November 2007 and 8th September 2008 and when and how the money was spent?
- (b) the money spent from 8th September 2008 to date by each of the identified Departments and when and how the money was spent?
- (c) The sum of money requested by each of the identified Departments which is unspent to date?
- (d) Whether the Upex Inquiry was funded from the Historic Abuse Fund, and if so, who gave consent and when was consent granted?
- (e) Whether the Wiltshire Police Inquiry was funded from the Historic Abuse Fund, and if so, who gave consent, and when was consent granted?”

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

“On 6th December 2010 when the Chief Minister made his statement in relation to the Historical Child Abuse Inquiry, he stated that in the very near future the Council of Ministers would formally consider whether any unanswered questions remained and report to the States. The Chief Minister said he would take note of the Deputy of St Martin’s suggestion to consider inviting some of those Members who had shown a keen interest in the matter so there could be a combined way forward, but it would depend on the outcome of the Council of Ministers' views.

Will the Chief Minister inform Members whether the Deputy’s suggestion was considered by the Council of Ministers and if it was, why it was not taken on board? If it was not considered will the Chief Minister explain why it was not considered?”

11. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will the Attorney General clarify whether a judge/magistrate having a link through family members to an individual who was a witness; a police complainant; or perhaps stood to gain either financially or

otherwise in the event of a conviction would have to excuse him or herself from presiding over a case; further still, under what aspect of which law is this outlined, and does Jersey legislation on such matters differ from that in the UK?”

12. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“The Minister has previously advised the Assembly that it is not possible to increase the rate of tax charged to 1(1)(k) residents granted such status in previous decades when much lower rates were in place. Will the Minister subsequently clarify whether those 1(1)(k) residents being granted such status in the 1990s when the rate was as high as a £200,000 minimum were consequently able to pay smaller amounts as the rate later became reduced? If so, under which mechanism/Article of the Income Tax (Jersey) Law 1961 or other relevant law is this permitted?”

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

“Will the Minister provide Members with a copy of the job description of the Chairman and Members of the Harbours and Airport Shadow Board and full details of how the financial package(s) were evaluated and by whom; and will he provide details of how many individuals applied for the positions, who oversaw the selection process and when this took place?”

14. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Would the Attorney General advise whether any of the 2008 election candidates, successful or otherwise, failed to comply with the Public Elections (Expenditure and Donations) (Jersey) Regulations 2008 requiring that they provide full details of their campaign expenses, and if so, would he specify which roles they were standing for (e.g. Senator, Deputy or Connétable), who the candidates were and what sanctions they faced, having failed to comply? If none, what was the reason for this?”

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

“Will the Chief Minister confirm the total remuneration that has been paid to the Magistrate Designate to date since his exclusion from sitting as a Magistrate, and whether any of that sum will be recoverable in the eventuality that the Magistrate Designate is found guilty of any of the charges against him?”

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

“Will the Minister explain what alternative avenues, if any, were explored when coming to the recent decision to cease the 'deemed distribution' element of zero-ten, including whether any consideration was given to disputing the findings of the EU High Level Working Party and why this avenue was rejected?”

Will the Minister state how long he anticipates it will take to hear from the EU/UK on whether the amended zero-ten policy will be acceptable?”

17. The Chief Minister will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Does the Minister agree that if Jersey is to continue to promote and enhance its international identity and autonomy, as described in Section 15 of the Strategic Plan 2009-2014, it is important for Jersey, through the Chief Minister or the Assistant Chief Minister with special responsibility for International Affairs, to make its position clear on Human Rights violations in other jurisdictions?”

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

“Will the Chairman of the Privileges and Procedures Committee confirm how many uncontested elections have occurred over the past 10 years for each category of States Member; how many of these were in single seat constituencies and how many non-contested elections there have been in multi-seat constituencies for each category?”

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

“What NHS hospitals, if any, were used for comparison purposes in fixing the contract payment for the Hospital Managing Director? Would the Minister specify the precise savings achieved by the Hospital Managing Director during his initial period in office to December 2010?”

20. The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Chief Minister inform members what voluntary redundancy terms have been offered to public sector workers for 2012 and 2013 along with the terms that are on offer to the equivalent workforces in the UK and in Guernsey? Will he also state what terms will apply in the case of compulsory redundancies?”

Will he confirm that the terms on offer locally are less than those available to UK and Guernsey workers and state whether this has arisen because we are in a worse economic and financial position than these two jurisdictions and, if not, what is the cause?

Will he also confirm that the target for redundancies over this period is 280 and if not, what is it? Will he further place this in the context of any overall target for job losses through non-replacement, outsourcing etc? What does he estimate will be the size of the total public sector workforce by 2014?

Will he also state whether there are any negotiations currently taking place over redundancies and if so in which sectors?”

21. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister confirm that the income tax revenue from the profits of non-finance companies in 2007 was £82 million and that the total tax estimate for 2010 from non-finance companies (non 10% and utilities 20%) is £13.5 million, a reduction on the 2007 figure of £68.5 million?”

Can the Minister explain to members why this revenue loss is so much greater than the estimate of £30 million lost revenue from the zero component of zero-ten previously given and will he state how this relates to the £10 million “cash flow” loss due to the abandonment of deemed distribution and attribution?

Will he further inform members how he proposes to re-coup some revenue from these zero rated companies and how his proposals will avoid ring-fencing either non-locally owned non-finance companies or the previously exempt companies and thereby breaching the EU Code on Business Taxation?

Will he also explain what scope there is for local owners of zero-rated companies to “roll-up” dividends in the companies they own in order to convert profits into a capital gain? What powers does the Minister have under the Income Tax Law or elsewhere to ensure that any loss of revenue from zero-rated companies is minimised?”

22. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Can the Minister confirm that those finance companies now rated at a tax rate of 10% previously paid tax at a rate of around 13.5% and that following the introduction of the 10% rate it is estimated that only £50.4 million of company tax will be paid by finance companies in 2010?

Will the Minister give members his estimate of what effective rate of tax this represents, given that finance profits in the years 2008 and 2009 on which this tax was paid were £1,520 million and £809 million respectively?

How does this effective rate compare with the effective rate paid by:

- a) Persons on marginal rate (27%) tax? and
- b) Those paying full-rate tax (20%)?

Will the Minister produce for members a table indicating the proportion of General Revenue Income (as given in Table 4, page 8 of the Financial Report & Accounts 2009) derived from

- i) company income tax? and
- ii) personal tax (income tax, impôts and GST)?

over the past decade and including the estimates of income for 2010 and 2011 as below:

Year	Total general revenue £m	Company Tax £m	%	Personal tax (IT + impôts + GST)	%
2000					
2001					
etc					

”

23. The Minister for Economic Development will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Following the announcement of further funding for the Advance to Work (ATW) schemes, (16 – 19, and 20 -24) will the Minister inform members for the years 2009 and 2010 -

- a) how many young people have had an ATW place?
- b) how many have subsequently found permanent employment? and
- c) how much in total has been spent on this scheme?

Will he further inform members why he has managed to attract only 270 employers out of a potential 6,210 Jersey businesses to join the scheme?”

24. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members of –

1. The process that was followed in determining the salary of the Hospital Managing Director and the job titles of the person or persons involved in the process?
2. What oversight of the process did the Minister have?
3. Did the Minister sign off the remuneration package?
4. The break down of the remuneration package –
 - a. Is it strictly for salary costs?
 - b. Does it include payments into any pension scheme, and if so, what is the nature of that

contribution?

- c. Does the remuneration cover the cost of flights to and from Jersey?
- d. Does it include accommodation costs in Jersey?
- e. Does it cover payment to an agency, and in which case, how much?

5. The Minister stated that the Hospital Managing Director had already saved the hospital some £600,000 savings. Will the Minister outline what these savings are and their individual values?"

25. The Minister for Health and Social Services will table an answer to the following question asked by Deputy D.J. de Sousa of St. Helier –

“Would the Minister please inform members whether there have been any external and internal reviews in the area of mental health generally, what changes are being proposed, such as to the management structure of adult mental health and whether there are any staffing difficulties, such as in recruitment?”

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

“In the light of forthcoming debates on speed limits and on the North of Town Masterplan, one of whose proposals is the eventual treatment of Bath Street to become a calmed and narrower one way street with wide pavements and trees, and given the current discussions about the future of the roads around the new Town Park and pedestrian and cycling routes, will the Minister inform members of the numbers of accidents on Bath Street as follows:

	Killed	Serious Injury	Minor Injury
junction Gas Place / Bath Street			
junction Robin Place / Bath Street			
junction Belmont Road / Bath Street			
Bath Street between Gas Place and Robin Place			
Bath Street between Robin Place and Belmont Road			

Can the Minister further give the dates for the fatal and serious injury accidents as follows -

	Gas Place / Bath St.	Robin Place / Bath St.	Belmont Rd. / Bath St.	Bath Street from Gas Place to Robin Pl.	Bath Street from Robin Place to Belmont Rd.
Fatal					
Serious injury					

Can the Minister give details of what the serious injuries were?"

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

“Following on from the answer to my written question to the Minister for Treasury and Resources on 1st February 2011 relating to professional competence of civil servants (6003), would the Chief Minister provide members with the text of “the relevant disciplinary or capability procedure” mentioned in that answer, or a clear reference to where this can be found?”

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

“Would the Minister advise members whether his department (or any other department) has carried out a study into the total tax take which different household types at different income levels would pay in jurisdictions which could be counted as our competitors, and if so, can the Minister give members an exact reference to this study?”

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

“Would the Chief Minister explain to members the arrangements for civil servants and other public sector employees ending their employment due to incapacity of any kind, including but not limited to ‘golden handshakes’ and pensions?”

30. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Until 2007 the Treasury published a breakdown of company income tax paid by industry. Will the Minister inform members why this no longer happens and also whether this data is still gathered but not published?”

In the light of the move from a single rate of company tax to multiple rates does the Minister not accept that it is likely to be most useful to have this information to understand the sources of States revenues and will he undertake to restore the practice?”

31. The Minister for Economic Development will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Would the Minister advise whether licensed premises can hold price promotions which may encourage customers to drink to excess, and whether 6th category licensed premises (off licences) may hold similar price promotions on the same products? Are there any difficulties being experienced, and if so, does the Minister have any plans to address this situation?”

32. The Minister for Health and Social Services will table an answer to the following question asked by Deputy D.J. de Sousa of St. Helier –

“Is the Minister satisfied that the recent release of the salary of the Hospital Managing Director has not damaged the morale of her department, and does she consider that her and her Assistant Minister’s amendment in the media has repaired any damage to staff morale?”

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ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

<u>2011</u>	First 15 minute period Minister	Second 15 minute period Minister
<u>First session</u>		
March 15th	Transport and Technical Services	Home Affairs
March 29th	Housing	Chief Minister
April 5th	Social Security	Economic Development
May 3rd	Treasury and Resources	Chief Minister
May 17th	Education, Sport and Culture	Health and Social Services
June 7th	Home Affairs	Chief Minister
June 21st	Social Security	Planning and Environment
July 5th	Housing	Chief Minister
July 18th (Monday)	Transport and Technical Services	Economic Development
<u>2nd session</u>		
September 13th (Annual Business Plan 2012)	Treasury and Resources	Chief Minister
September 20th	Education, Sport and Culture	Health and Social Services
November 8th (Budget 2012)	Home Affairs	Chief Minister