



STATES OF JERSEY ORDER PAPER

Tuesday 3rd June 2014

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Community Provisions (Restrictive Measures – Ukraine) (Amendment No. 5) (Jersey) Order 2014. R&O.48/2014.
Minister for External Relations.

Road Racing (International Festival of Motoring) (Jersey) Order 2014. R&O.49/2014.
Minister for Transport and Technical Services.

Road Traffic (Public Parking Places – Miscellaneous Amendments No. 2) (Jersey) Order 2014. R&O.50/2014.
Minister for Transport and Technical Services.

Building Bye-Laws (Amendment No. 3) (Jersey) 2014. R&O.51/2014.
Minister for Planning and Environment.

Community Provisions (Restrictive Measures – Côte d’Ivoire) (Amendment No. 8) (Jersey) Order 2014. R&O.52/2014.
Minister for External Relations.

Long-Term Care (Health and Social Services Charges) (Jersey) Order 2014. R&O.53/2014.
Minister for Health and Social Services.

Jersey Festival of Cycling (Jersey) Order 2014. R&O.55/2014.
Minister for Transport and Technical Services.

Water Pollution (Code of Good Agricultural Practice) (Amendment) (Jersey) Order 2014. R&O.56/2014.
Minister for Transport and Technical Services.

States of Jersey Police Force (Transitional Provisions) (Jersey) Order 2014. R&O.57/2014.
Minister for Home Affairs.

C. DOCUMENTS PRESENTED OR LAID

Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors (P.90/2013) – comments. P.90/2013.
Presented: 29th May 2014. Com.(2)
Council of Ministers.

Jersey Employment Tribunal: re-appointment of Side Member. R.71/2014.
Presented: 28th May 2014.
Minister for Social Security.



Land Transactions under Standing Order 168(3) – R.72/2014.
(a) Mourant Lodge, La Rue d'Asplet, Trinity – cession and transfer of land;
(b) Old Mill House, 52 Le Vier Mont, St. Helier – sale;
(c) La Préférence Children's Home, La Grande Route de St. Martin, St. Martin – sale.

Presented: 29th May 2014.
Minister for Treasury and Resources.

2014-15 Enterprise Action Plan. R.73/2014.
Presented: 29th May 2014.
Minister for Economic Development.

Public Sector Pension Reform (S.R.4/2014): response of the States Employment Board. S.R.4/2014.
Presented: 27th May 2014. Res.
States Employment Board.

D. NOTIFICATION OF LODGED PROPOSITIONS

Comptroller and Auditor General: re-appointment. P.99/2014.
Lodged: 27th May 2014.
Chief Minister.

States owned or controlled companies: rights and responsibilities. P.100/2014.
Lodged: 28th May 2014.
Deputy G.C.L. Baudains of St. Clement.

Income Support: free GP access. P.101/2014.
Lodged: 28th May 2014.
Deputy G.P. Southern of St. Helier.

Civil marriages: same sex couples. P.102/2014.
Lodged: 28th May 2014.
Deputy S.Y. Mézec of St. Helier.

Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201-. P.103/2014.
Lodged: 29th May 2014.
Minister for Health and Social Services.

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. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Article 123 of the Planning and Building (Jersey) Law 2002.
2. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding procedures for Planning enforcement actions.
3. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Article 7(4) of the Planning and Building (Jersey) Law.
4. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the appointment procedures for senior posts.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding asbestos in Jersey schools.
6. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding leisure boat fees over the last 10 years in comparison to commercial fees.
7. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the consequences of JEC trench reinstatement on road surfaces at Havre des Pas.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding registration for GST and the amount levied on public transport providers.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a breakdown of the Criminal Offences Compensation Fund since 2010.
10. The Chairman of Privileges and Procedures Committee will table an answer to a question asked by Senator P.F. Routier regarding access to States Buildings for meetings.
11. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisser of St. Saviour regarding steps to initiate closer cooperation with the French authorities.
12. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding T.V. licences.
13. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.
14. The Minister for Home Affairs will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.
15. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.
16. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding social housing waiting lists.



17. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding families caring for the elderly.
18. 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 a review of organ donation.
19. 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 referenda procedures.
20. H.M. Attorney General will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the disclosure of information by the Minister for Planning and Environment.
21. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the training of staff to manage asbestos in Jersey schools.

(b) – Oral Questions

(120 minutes)

1. The Connétable of St. Peter will ask the following question of the Minister for Transport and Technical Services –

“What steps, if any, will the Minister be taking to meet the request made at a recent meeting of a representative body of all users of an area in St. Ouen’s Bay in the Parish of St Peter known as Le Port, for public toilets to be constructed in a manner that was sensitive to the area?”
2. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General explain to Members the rationale behind the Viscount’s recent decision to release creditor details of bankrupts to the media in the ‘public interest’ and will he explain what consultation, if any, the Viscount took, with whom and when, and what limits or qualifications there are to this publication?”
3. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Economic Development –

“In the light of the recently published Annual Report, would the Minister confirm his total confidence in the Board and policies of the Channel Islands Competition Regulatory Authorities?”
4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“Given that the price of a 3 bed house remains over 13 times the average wage, rendering purchase beyond the means of most families what, if anything, will the Minister do to increase supply and therefore bring prices down to affordable levels in the short and medium term?”
5. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“How many States funded secondary schools, if any, have had voting registration forms and collection boxes put in them and what information about voter registration, if any, has the Department provided to all students aged 16 years or over who will be leaving school in the next few weeks?”



6. Deputy J.H. Young of St. Brelade will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General inform the Assembly whether the Planning and Building (Jersey) Law 2002 either requires or entitles the Minister for Planning and Environment to take into account, as a material consideration when considering policies and guidelines for development of the Esplanade quarter or in determining planning applications within this area, the pending litigation between Harcourt Ltd and its potential effect on the approved Masterplan for development?”
7. The Connétable of St. John will ask the following question of the Minister for Treasury and Resources –

“Following the recent purchase by off-Island concerns of Jersey farming companies and areas of land, are there any large scale farmers left paying Jersey tax, or is tax on agricultural revenues going to H.M. Treasury?”
8. Deputy J.A. Hilton of St. Helier will ask the following question of the Chief Minister –

“Can the Chief Minister inform members why the ‘Family W’ Serious Case Review is not to be published even though the report is complete?”
9. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Economic Development –

“Can the Minister assure members that he will use his best endeavours to ensure our Weymouth route is maintained, including, if necessary, finding an operator with a suitable vessel for the purpose?”
10. The Deputy of St. Martin will ask the following question of the Minister for Planning and Environment –

“Further to his written answer to a question I asked on 18th March 2014 that the public footpath between St. Catherine’s Breakwater and Rue de Fliquet ‘should be open by Easter’, can the Minister explain why this path remains closed?”
11. Deputy J.A.N. Le Fondre of St. Lawrence will ask the following question of the Minister for Treasury and Resources –

“Further to the recent presentation of the States accounts which included a reference to the effect that the police relocation budget is £19.2m, could the Minister confirm that the forecast spend will actually be £20.492m as per his response on 23rd October 2012 to a written question (7159) submitted by Deputy Martin?”
12. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Does the Minister intend to review the Masterplan for the Esplanade Quarter following the changes made by the States of Jersey Development Company to their implementation plan, the loss of their anchor tenant and changed economic circumstances, to ensure the Masterplan is relevant, up to date and applicable to the needs and aspirations of the community?”
13. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Treasury and Resources –

“Is the Minister, as the shareholder representative, aware of Jersey Telecoms proposed 28% increase in broadband charges due to come into effect shortly and, if so, what action, if any, is he taking vis a vis the Regulator?”



14. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister advise members what steps, if any, he is taking to ensure that States Departments, the States of Jersey Police and various Child Protection agencies fully comply with the Data Protection (Jersey) Law 2005, with regard to answering subject access data requests, correcting factually inaccurate data held by them, or updating and re-assessing decisions made by them that have been based upon inaccurate information?”

15. Deputy J.A.N. Le Fondre of St. Lawrence will ask the following question of the Minister for Treasury and Resources –

“Does the Minister continue to support the principles and policies laid down in P.73/2010 (‘Property and Infrastructure Regeneration: the States of Jersey Development Company Limited’)?”

16. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Would the Minister advise whether he has held discussions with the States of Jersey Development Company to explore the possibility of building grade A office space on the Waterfront for the States of Jersey Police using the budget already allocated and then refurbishing the operational side at Rouge Bouillon and, if not, why not?”

17. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“What data does the Minister have, if any, on the length of maternity leave taken by employees in Jersey and, if none, will he agree to commission some research to support his maternity leave proposals?”

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

“Would the Chief Minister advise whether and when he will be bringing proposals for the reform of the judicial appointments process to the Assembly and would he provide Members with a brief summary in the interim?”

19. The Connétable of St. John will ask the following question of the Minister for Economic Development –

“Will the Minister undertake to review the grants system which provides funding to the agricultural and horticultural industries and, if not, why not?”

20. The Connétable of St. Peter will ask the following question of the Minister for Transport and Technical Services –

“Further to the States approval on 3rd November 2011 of P.155/2011 “Driving Licences: theory test” which agreed that a person must have passed a theory test before being granted permission to drive on the road, could the Minister advise when he expects to lodge the amendments for debate, as requested by the Assembly?”

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

1st question period – Minister for Education, Sport and Culture

2nd question period – Chief Minister



J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Waste Water Strategy. Lodged: 27th March 2014. <i>Council of Ministers.</i>	P.39/2014.
Waste Water Strategy (P.39/2014): comments. Presented: 12th May 2014. <i>Environment Scrutiny Panel.</i>	P.39/2014. Com.
Sunstone Holdings Ltd. and De Lec Ltd. – <i>ex gratia</i> payments to investors. Lodged: 26th July 2013. <i>Senator A. Breckon.</i>	P.90/2013.
Sunstone Holdings Ltd. and De Lec Ltd. – <i>ex gratia</i> payments to investors (P.90/2013) – comments. Presented: 23rd September 2013. <i>Council of Ministers.</i>	P.90/2013. Com.
Sunstone Holdings Ltd. and De Lec Ltd. – <i>ex gratia</i> payments to investors (P.90/2013) – comments. Presented: 29th May 2014. <i>Council of Ministers.</i>	P.90/2013. Com.(2)
Channel Islands Lottery: allocation of profits for 2013. Lodged: 26th February 2014. <i>Minister for Economic Development.</i>	P.22/2014.
Grouville School: parking facilities. Lodged: 4th March 2014. <i>Connétable of Grouville.</i>	P.24/2014.
Grouville School: parking facilities (P.24/2014) – comments. Presented: 31st March 2014. <i>Minister for Education, Sport and Culture.</i>	P.24/2014. Com.
Draft States of Jersey (Amendment No. 7) Law 201-. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.31/2014.
Draft Treason (Jersey) Law 201-. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.32/2014.
Draft Financial Regulation (Miscellaneous Provisions No. 2) (Jersey) Law 201-. Lodged: 7th April 2014. <i>Chief Minister.</i>	P.47/2014.



- Ratification of the Agreement on the exchange of information relating to tax matters between the Government of Jersey and the Kingdom of Belgium. P.52/2014.
Lodged: 14th April 2014.
Minister for External Relations.
- Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 11) (Jersey) Regulations 201-. P.53/2014.
Lodged: 14th April 2014.
Minister for External Relations.
- Draft Insurance Business (Amendment No. 7) (Jersey) Law 201-. P.55/2014.
Lodged: 15th April 2014.
Chief Minister.
- Draft Food Costs Bonus (Jersey) Regulations 201-. P.56/2014.
Lodged: 22nd April 2014.
Minister for Social Security.
- Draft Safeguarding of Workers (Machinery and Woodworking Machines) (Revocation) (Jersey) Regulations 201-. P.57/2014.
Lodged: 22nd April 2014.
Minister for Social Security.
- Draft Social Housing (Transfer) (Jersey) Regulations 201-. P.58/2014.
Lodged: 23rd April 2014.
Minister for Housing.
(cannot be debated before 4th June 2014)
- Draft Social Housing (Transfer) (Jersey) Regulations 201- (P.58/2014): P.58/2014.
amendment. Amd.
Lodged: 20th May 2014.
Minister for Housing.
- Housing Transformation Programme: amendment to the Medium Term Financial Plan 2013 – 2015. P.59/2014.
Lodged: 23rd April 2014.
Council of Ministers.
- Housing Transformation Programme: Memorandum and Articles of Andium Homes Limited. P.60/2014.
Lodged: 24th April 2014.
Council of Ministers.
(cannot be debated before 5th June 2014)
- Draft Social Housing (Transfer) (Jersey) Law 2013 (Appointed Day) Act 201-. P.72/2014.
Lodged: 7th May 2014.
Minister for Housing.
(Cannot be debated before 4th June 2014)

M. ARRANGEMENT OF PUBLIC BUSINESS

17th June 2014

- Draft Public Finances (Transitional Provisions – States Trading Operations) (Amendment) (Jersey) Regulations 201-. P.50/2014.
Lodged: 14th April 2014.
Minister for Treasury and Resources.



Draft Civil Aviation (Amendment of Law) (No. 2) (Jersey) Regulations 201-. Lodged: 14th April 2014. <i>Minister for External Relations.</i>	P.51/2014.
Draft States of Jersey (Transfer of Functions No. 7) (Economic Development to External Relations) (Jersey) Regulations 201-. Lodged: 15th April 2014. <i>Chief Minister.</i>	P.54/2014.
Draft Aircraft Registration (Jersey) Law 201-. Lodged: 29th April 2014. <i>Minister for Economic Development.</i>	P.62/2014.
Draft Air Navigation (Jersey) Law 201-. Lodged: 29th April 2014. <i>Minister for External Relations.</i>	P.63/2014.
Draft Community Provisions (Goods Suspected of Infringing Intellectual Property Rights) (Jersey) Regulations 201-. Lodged: 30th April 2014. <i>Minister for Home Affairs.</i>	P.64/2014.
Draft Rehabilitation of Offenders (Exceptions) (Amendment) (Jersey) Regulations 201-. Lodged: 1st May 2014. <i>Minister for Home Affairs.</i>	P.65/2014.
Ratification of the Agreement between the Government of the United Kingdom and Northern Ireland and the Government of Jersey to improve international tax compliance. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.66/2014.
Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.67/2014.
Ratification of the Agreement between the Government of the United States of America and the Government of Jersey to improve international tax compliance and to implement FATCA. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.68/2014.
Draft Taxation (Implementation) (International Tax Compliance) (United States of America) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.69/2014.
Draft Income Support (Special Payments) (Long-Term Care) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Minister for Social Security.</i>	P.70/2014.



Draft Income Support (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Minister for Social Security.</i>	P.71/2014.
Draft Social Security (Amendment of Law No. 7) (Jersey) Regulations 201-. Lodged: 8th May 2014. <i>Minister for Social Security.</i> <i>(cannot be debated before 19th June 2014)</i>	P.73/2014.
Jersey Financial Services Commission: appointment of Chairman. Lodged: 19th May 2014. <i>Chief Minister.</i>	P.80/2014.
<u>1st July 2014</u>	
Committee of Inquiry: sale of Broad Street post office building. Lodged: 28th April 2014. <i>Senator A. Breckon.</i>	P.61/2014.
Draft Community Provisions (Food Supplements) (Jersey) Regulations 201-. Lodged: 8th May 2014. <i>Minister for Health and Social Services.</i>	P.74/2014.
Draft Community Provisions (Nutrition and Health Claims on Foods) (Jersey) Regulations 201-. Lodged: 8th May 2014. <i>Minister for Health and Social Services.</i>	P.75/2014.
Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201-. Lodged: 12th May 2014. <i>Minister for Economic Development.</i>	P.76/2014.
Draft Connétables (Miscellaneous Provisions) (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 15th May 2014. <i>Comité des Connétables.</i>	P.77/2014.
Draft Connétables (Miscellaneous Provisions – Consequential Amendments) (Jersey) Regulations 201-. Lodged: 15th May 2014. <i>Comité des Connétables.</i>	P.78/2014.
Draft Honorary Police (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 15th May 2014. <i>Comité des Connétables.</i>	P.79/2014.
Draft Freedom of Information (Schedule 1 to Law) (Amendment) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Chief Minister.</i>	P.81/2014.
Draft Social Security (Bonus) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.82/2014.



Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.83/2014.
Draft Sea Fisheries (Log Books, Transhipment and Landing Declarations) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.84/2014.
Draft Sea Fisheries (Vessel Monitoring Systems) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.85/2014.
Draft States of Jersey Police Force Law 2012 (Appointed Day) (No. 2) Act 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.86/2014.
Draft States of Jersey Police Force (Amendment) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.87/2014.
Draft States of Jersey Police Force (Consequential Amendments) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.88/2014.
Draft Sex Offenders (Amendment No. 2) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.89/2014.
Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.90/2014.
Draft Income Support (Amendment No. 12) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.91/2014.
Draft Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.92/2014.
Draft Criminal Justice (Young Offenders) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.93/2014.
Draft Planning and Building (Amendment No. 6) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Planning and Environment.</i>	P.94/2014.
Draft Regulation of Care (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Health and Social Services.</i>	P.95/2014. (re-issue)



Draft Explosives (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.96/2014.
Draft Employment of States of Jersey Employees (Amendment No. 7) (Jersey) Regulations 201-. Lodged: 21st May 2014. <i>States Employment Board (cannot be debated before 2nd July)</i>	P.97/2014.
Draft Comptroller and Auditor General (Jersey) Law 201-. Lodged: 22nd May 2014. <i>Council of Ministers (cannot be debated before 3rd July)</i>	P.98/2014.
Comptroller and Auditor General: re-appointment. Lodged: 27th May 2014. <i>Chief Minister.</i>	P.99/2014.
States owned or controlled companies: rights and responsibilities. Lodged: 28th May 2014. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.100/2014.
Income Support: free GP access. Lodged: 28th May 2014. <i>Deputy G.P. Southern of St. Helier.</i>	P.101/2014.
Civil marriages: same sex couples. Lodged: 28th May 2014. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.102/2014.
<u>14th July 2014</u>	
Draft Road Traffic (No. 60) (Jersey) Regulations 201-. Lodged: 18th March 2014. <i>Minister for Transport and Technical Services.</i>	P.30/2014.
Island Plan 2011: revised draft revision – approval. Lodged: 21st March 2014. <i>Minister for Planning and Environment.</i>	P.37/2014.
Island Plan 2011: revised draft revision – approval (P.37/2014) – amendment. Lodged: 17th April 2014. <i>Connétable of St. Clement.</i>	P.37/2014. Amd. (re-issue).
Island Plan 2011: revised draft revision – approval (P.37/2014) – second amendment. Lodged: 30th April 2014. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.37/2014. Amd.(2)
Island Plan 2011: revised draft revision – approval (P.37/2014) – third amendment. Lodged: 1st May 2014. <i>Deputy of St. Martin.</i>	P.37/2014. Amd.(3)
Island Plan 2011: revised draft revision – approval (P.37/2014) – fourth amendment. Lodged: 1st May 2014. <i>Connétable of St. Ouen.</i>	P.37/2014. Amd.(4)



Island Plan 2011: revised draft revision – approval (P.37/2014) – fifth amendment. Lodged: 6th May 2014. <i>Senator F. du H. Le Gresley.</i>	P.37/2014. Amd.(5)
Island Plan 2011: revised draft revision – approval (P.37/2014) – sixth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(6)
Island Plan 2011: revised draft revision – approval (P.37/2014) – seventh amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(7)
Island Plan 2011: revised draft revision – approval (P.37/2014) – eighth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(8)
Island Plan 2011: revised draft revision – approval (P.37/2014) – ninth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(9)
Island Plan 2011: revised draft revision – approval (P.37/2014) – tenth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(10)
Island Plan 2011: revised draft revision – approval (P.37/2014) – eleventh amendment. Lodged: 6th May 2014. <i>Minister for Economic Development.</i>	P.37/2014. Amd.(11)
Island Plan 2011: revised draft revision – approval (P.37/2014) – eleventh amendment (P.37/2014 Amd.(11)) – amendment. Lodged: 20th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(11) Amd.
Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201-. Lodged: 29th May 2014. <i>Minister for Health and Social Services.</i>	P.103/2014.

L-M. HART
Deputy Greffier of the States

29th May 2014

Note –

In accordance with the meeting dates fixed for 2014 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 4th June and Thursday 5th June 2014.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.48/2014.

This Order amends the Community Provisions (Restrictive Measures – Ukraine) (Jersey) Order 2014 by giving effect in Jersey to the amendments made by Council Regulation (EU) No. 476/2014 (OJ No. L 137, 12.5.2014, p.1) and Council Implementing Regulation (EU) No. 477/2014 (OJ No. L 137, 12.5.2014, p.3) to Council Regulation (EU) No. 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The effects of the amendments are –

- (a) to extend the provision freezing funds and economic resources, and preventing their being made available, to or for the benefit of legal persons as well as natural persons, as listed in Annex 1 to Regulation 269/2014;
- (b) to provide that Annex 1 shall also include natural persons responsible for actively supporting or implementing actions or policies which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine or stability and security in Ukraine or legal persons, entities or bodies in Crimea or Sevastopol whose ownership has been transferred contrary to Ukrainian law, or legal persons, entities or bodies which have benefited from such a transfer; and
- (c) in view of the gravity of the situation in Ukraine to add to the list of persons and entities subject to restrictive measures set out in that Annex.

The Order was made on 14th May 2014 and came into force forthwith.

R&O.49/2014.

This Order permits the Classic and Vintage Motor Racing Club of Jersey to hold races and an entertainment from 5th to 8th June 2014 on roads in St. Helier, including Mount Bingham and parts of Victoria Avenue, Westmount Road and La Route de St. Aubin, and to close those roads to traffic.

The Order was made on 16th May 2014 and came into force immediately upon being made.

R&O.50/2014.

This Order amends the Road Traffic (Public Parking Places) (Jersey) Order 2006 and the Road Traffic (Public Parking Places – Charges) (Jersey) Order 2010.

It adds D’Auvergne School Car Park, with a maximum stay of 12 hours in 24.

It adds Les Jardins Car Park, with a maximum stay of 7 days, at 1 unit per hour between 8 a.m. and 5 p.m. on any day except Sunday. It sets charges for season tickets at the higher rates (currently £57.68 for low-emission vehicles and £115.35 for others). It also allows agricultural vehicles and long commercial vehicles (over 15 feet) to be parked there without needing written permission.

It restricts parking in Le Cimetière Car Park to a maximum of 3 hours in any 24, with a parking disc.

It also corrects errors in references to 2 car parks in Saint Martin, in relation to agricultural vehicles and long commercial vehicles.

The Order was made on 16th May 2014 and came into force on 23rd May 2014.



R&O.51/2014.

These amending bye-laws make (by *Article 2*) 2 changes to Schedule 2 to the Building Bye-laws (Jersey) 2007. The first change is to the bye-laws relating to the supply of hot water, and introduces additional requirements to prevent excessive temperature in hot water storage systems (except those used with a capacity of less than 15 litres, or those which provide a hot water supply only for space heating or an industrial process) and additionally to prevent scalding by restricting the temperature of water which can be delivered to a bath, in newly constructed dwellings.

The second change requires systems for the supply of water in newly constructed dwellings to be designed and installed with reasonable regard to water efficiency (so as to prevent the use of potable water for purposes other than drinking or food preparation and hygiene).

Article 3 gives the title for this instrument and provides that the changes come into force on 1st July 2014.

The Bye-Laws were made on 16th May 2014 and come into force on 1st July 2014.

R&O.52/2014.

This Order gives effect to Council Implementing Regulation (EU) No. 479/2014 of 12th May 2014 (OJ L 138/3 13.5.2014) implementing Regulation (EC) No. 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire.

The effect of the changes is to update the information about 2 people listed in Annex 1A to the 2005 Regulation mentioned above and to delete the entry in respect of another person in relation to whom the Council has determined there are no longer grounds for keeping on that list.

The Order was made on 20th May 2014 and came into force on 21st May 2014.

R&O.53/2014.

This Order is made under the Long-Term Care (Health and Social Services Charges) (Jersey) Law 2014 ("Law") and replaces the Hospital Charges (Long-Stay Patients) (Jersey) Order 2007. That Order will lapse as a result of the Law's repeal of the Hospital Charges (Long-Stay Patients) (Jersey) Law 1999 on 22nd May 2014.

This Order sets out the charges that a person who has attained the age of 65 years must pay for long-term care services provided to the person in an institution treating such a person for illness, injury or disability or in which the person requires convalescence or rehabilitation. The term "long-term care services" is defined in the Law to mean services provided to a person for the purpose of providing to that person permanent help with activities that are an essential part of normal daily living (such as bathing, dressing, grooming and eating) arranged, administered or supplied by the Minister for Health and Social Services.

The charge imposed is £485.31 a week or £69.33 a day for any period that is less than a week. However charges are not imposed on a person who is required to be in a hospital under the Mental Health (Jersey) Law 1969.

The Order was made on 22nd May 2014 and came into force on the same date that the Law came into force, that is, 22nd May 2014.

R&O.55/2014.

This Order makes provision for the holding of the Jersey Festival of Cycling 2014 (the "Festival of Cycling"), in the Parishes of Grouville, St. Martin and St. Saviour.

Article 1 gives the meanings of words and expressions for the purposes of the Order. *Article 2* names Jersey Tourism as the promoter of the Festival of Cycling and gives the promoter power to close roads and make arrangements for the safety of the competitors and the viewing public, provided the requirements in *Articles 3 and 4* are fulfilled. *Article 3* requires insurance cover to be obtained by the



promoter and in force. Article 4 requires notice of the Festival of Cycling to be given to the public, as prescribed in that Article.

Article 5 states the purposes for which roads may be closed during the Festival of Cycling and gives effect to the Schedule, which lists the roads (and parts of roads) to be closed, and the dates and times of closure.

Article 6 allows roads which would otherwise be one-way to be used in both directions for the purpose of access to residential premises within Gorey Village, prohibits parking on course roads, and makes other restrictions on parking for the duration of the Festival of Cycling.

Article 7 provides for other arrangements to be made in the interests of public safety, in particular giving powers of management and control to police officers, event marshals and members of the emergency services. *Article 8* preserves access to ferries in Gorey for foot passengers. *Article 9* gives the title to this Order.

The Order was made on 23rd May 2014 and came into force on being made.

R&O.56/2014.

This Order amends the Water Pollution (Code of Good Agricultural Practice) (Jersey) Order 2009 to keep it in force for a further year (until 29th June 2015).

The Order was made on 23rd May 2014 and came into force on 30th May 2014.

R&O.57/2014.

This Order makes transitional provisions for the purposes of the States of Jersey Police Force Law 2012 (“2012 Law”) and is made under Article 32 of that Law. The 2012 Law was partially brought into force on 24th July 2013 by an Appointed Day Act. It is intended that a further Appointed Day Act will bring into force the remaining provisions on 1st August 2014.

Article 1 of the Order is an interpretation provision.

Article 2 makes provision in respect of Article 9 of the Police Force (Jersey) Law 1974 (“1974 Law”). That Article makes provision for the appointment, suspension and dismissal of the Chief Officer and for the appointment of the Deputy Chief Officer. Under Article 9 of the 2012 Law, Regulations may be made by the States concerning such matters. Under paragraph 1 of Schedule 2 to the 2012 Law, the person who is Chief Officer or Deputy Chief Officer immediately before Article 9 of the 2012 Law comes into force is treated as having been appointed to such office under the 2012 Law on the same terms and conditions that applied immediately before the commencement of Article 9 of the 2012 Law. Article 2 of this Order provides that, until such time as Regulations under Article 9 of the 2012 Law come into force, the provisions in Article 9 of the 1974 Law concerning the appointment, suspension and dismissal of the Chief Officer and the appointment of the Deputy Chief Officer shall be treated as if they remained in force.

Article 3 makes provision in respect of the Police Force (General Provisions) (Jersey) Order 1974. The provisions in the 2012 Law that will be brought into force on 1st August 2014 include the repeal of Article 8 of the 1974 Law. That Article gives the Minister power to make an Order for the general administration of the States of Jersey Police Force relating to such things as qualifications for appointment and promotion. Such provisions are currently set out in the Police Force (General Provisions) (Jersey) Order 1974 (“1974 Order”). That Order would normally lapse upon the repeal of Article 8 of the 1974 Law. Articles 10 and 13 of the 2012 Law contain similar Order making powers to those contained in Article 8 of the 1974 Law. Article 3 of this Order provides that, notwithstanding the repeal of Article 8 of the 1974 Law, the 1974 Order shall remain in force until such time as an Order under Articles 10 and 13 of the 2012 Law comes into force.

Article 4 makes provision in respect of the Police Force (Disposal of Property) (Jersey) Regulations 1975. Those Regulations are made under Article 20 of the 1974 Law. That Article allows the States to make Regulations for the disposal of property which has come into the possession of a police officer where the owner cannot be ascertained or found and apply to both the Honorary Police and the



States of Jersey Police. The 2012 Law amends Article 20 of the 1974 Law so that it will apply to the Honorary Police only. Article 28 of the 2012 Law contains similar provisions to those of Article 20 of the 1974 Law in respect of the States of Jersey Police Force except that provisions relating to the disposal of property may be made by the Minister by Order. Article 4 of this Order provides that, notwithstanding the amendments to Article 20 of the 1974 Law, until such time as an Order under Article 28 of the 2012 Law comes into force, the Police Force (Disposal of Property) (Jersey) Regulations 1975 will continue to apply to the States of Jersey Police Force.

Article 5 sets out the title of the Order and provides that it will come into force on the same day as Article 32 of the 2012 Law comes into force.

The Order was made on 27th May 2014 and comes into force on the same day that Article 32 of the States of Jersey Police Force Law 2012 comes into force.



WRITTEN QUESTIONS

(See Item I(a))

1. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will H.M. Attorney General advise members how Article 123 of the Planning and Building (Jersey) Law 2002 is applied in practice and, in particular state –

- (a) whether Article 123, which is contained in Part 9, ‘Administrative Provisions’ of the Law, is a substantive offence in its own right under the Law under which a person can be charged in the Magistrate’s Court or whether the provisions of the Article only comes into play when a body corporate or limited liability partnership has been found guilty of another provision of the Planning Law, such as Article 7; and,
- (b) whether a body corporate and a natural person ie. a director of the same body corporate, can be charged with an offence under Article 7 of the Law at the same time, and, if this is the case whether it breaches the English precedent relating to separate legal personal liability laid down by the House of Lords in *Saloman v A Saloman & Co Ltd* (1897) AC 22, which has been followed by the Jersey Courts?”

2. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Attorney General advise Members of the procedure or procedures which have been adopted by the Law Officers’ Department when it deals with Planning Enforcement actions, detailing in particular:

- (a) the interaction(s) between Planning Enforcement Officers and other Officers of the Planning and Environment Department and the Officers from his department or lawyers appointed by his Department when considering and undertaking an Enforcement action or prosecution under the Law;
- (b) who is responsible for determining whether a prosecution is in the public interest;
- (c) who is responsible for the formulation of the charges that are laid before the Magistrate in the Magistrate’s Court and for seeking any changes to these charges once proceedings have been commenced;
- (d) the role of the Centenier in such actions, particularly in relation to charging and the changing of charges once initial proceedings have commenced.
- (e) the role of the Planning and Enforcement Officer once the matter has been handed over to the Law Officers’ Department with a recommendation for prosecution; and,
- (f) any changes to the procedures adopted over time, indicating when these changes came into effect?”



3. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Given that Article 7(4) of the Planning and Building (Jersey) Law 2002 states that a person may be convicted of an offence under this Article despite the fact that (a) an enforcement notice or a condition notice has been served in respect of the breach of development controls; and (b) every step required by the notice to be taken has been taken, could the Attorney General advise Members, through the use of examples, where he feels that a prosecution under this provision would be in the public interest and where he does not if a person so served with an Enforcement Notice complies fully with the terms of the Notice?”

4. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will H.M. Attorney General set out in full the appointment procedures for the posts listed below, stating in detail all those involved in the decision making process and when, and all those who can write or meet with these individuals and/or bodies to make recommendations/representations or to influence the appointments of:

Bailiff
Deputy Bailiff
Attorney General
Solicitor General
The Dean
H.E. Lieutenant Governor?”

5. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier –

“Would the Minister advise –

Whether any primary or secondary schools currently have asbestos and, if so, which schools and what type of asbestos is it, what type of material is in it and is it in places vulnerable to damage from the children?

Whether he is confident that there is no risk of harm to the people using the Highlands College Campus, given that asbestos is present around windows and doors within the buildings?

Whether Jersey Property Holdings (JPH) inspects off site buildings such as Parish halls and community centres which are used by Highlands College for classes?

Given that it is costing £114,000 per annum to manage, monitor and remove asbestos, does the Minister not believe that it makes economic sense to plan to remove all asbestos in a phased way?

Can the Minister confirm what classification has been put on school buildings in respect of their risk level e.g. low, medium or high?

What safety measures, if any, are in place and what monitoring happens to ensure that ESC are complying with their SLA and the process is quality controlled?

Can the Minister confirm that inspection reports exist for the years between 2008 and 2011 for all ESC sites that have asbestos and can he provide them?”



6. The Minister for Economic Development will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Could the Minister advise how much leisure boat fees (for moorings and so on) have risen in the last ten years compared with commercial fees, and explain the reason for the difference?”

7. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister explain why the Transport and Technical Services Department has allowed the recent JEC trench re-instatement following the laying of cable ducting (especially in the Havre des Pas area) to be so uneven, and can he advise whether motorists can expect the surface to be remedied and, if so, when?”

8. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister provide information on of the number of entities registered for Goods and Services Tax (GST) purposes and the total amount of GST levied from each of the following sectors of Jersey’s domestic public transport industry for both years 2012 and 2013 –

- (i) buses;
- (ii) coach companies;
- (iii) taxi companies;
- (iv) self-employed taxi drivers; and,
- (v) other local transport service providers?”

9. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister provide Members with a detailed breakdown of what the Criminal Offences Compensation Fund has been spent on from 2010 to the present day?”

10. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Senator P.F. Routier –

“Can the Chairman list any organisations, groups or committees which are not States functions that have access to the States building for meetings?”

If there are any such groups, will the Chairman undertake to ensure that they are made aware of the conditions of use outlined in R.112/2007 regarding access to the States Building and members facilities?

In the lead up to the elections, will the Chairman remind members that they can not use the facilities in the States Building for election campaigning purposes?”



11. 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 –

“Given the considerable enthusiasm of the relevant French authorities, as expressed for example, in the recent Brittany/Jersey meeting, would the Minister outline the steps, if any, being taken to initiate closer co-operation?”

12. The Minister for Economic Development will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement–

“Would the Minister state whether he is aware that householders without a television are continually threatened by TV licensing inspectors despite having advised them of their lack of television by letter and telephone, and advise what action, if any, can be taken to address this matter?”

13. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister inform the Assembly of Education, Sport and Culture Department’s policy in respect of the services which are presently available for separated families and provide details of the professional support, funding and facilities provided by the Department to Milli’s Child Centre at Bel Royal School?

What urgent action, if any, is the Minister taking to ensure this vital service is able to continue at the end of June 2014 when Milli’s is due to close?”

14. The Minister for Home Affairs will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister inform the Assembly of Education, Sport and Culture Department’s policy in respect of the services which are presently available for separated families and provide details of the professional support, funding and facilities provided by the Department to Milli’s Child Centre at Bel Royal School?

What urgent action, if any, is the Minister taking to ensure this vital service is able to continue at the end of June 2014 when Milli’s is due to close?”

15. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister inform the Assembly of Education, Sport and Culture Department’s policy in respect of the services which are presently available for separated families and provide details of the professional support, funding and facilities provided by the Department to Milli’s Child Centre at Bel Royal School?

What urgent action, if any, is the Minister taking to ensure this vital service is able to continue at the end of June 2014 when Milli’s is due to close?”



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

“Given that the Minister has stated that he will control social housing rent levels by increasing the supply of housing to meet demand, will he explain to members what this means in terms of the number of units of accommodation required over the first 10 years of the Housing Transformation Plan as this relates to the current waiting list for social housing in the light of predicted population growth?”

17. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier–

“Does the Minister consider that in transferring the funding of Invalid Carers Allowance (now renamed Home Carer Allowance) from general taxation to a contributory basis, it was appropriate to include contribution conditions which can prevent family members from claiming this benefit and becoming full-time carers for elderly disabled relatives, and, if so, why?

How does the Minister rationalise this change against moves to keep those in need of care in their own homes for as long as possible rather than in more expensive institutional care?”

18. 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 –

“In the light of the States approval of P.89/2013 entitled ‘Organ Donor’s Register’ on 24th September 2013, can the Minister identify when the report reviewing the current policy in respect of organ donations and recommendations for improvement will be published and cite who has been consulted in its compilation?”

19. 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 –

“In the light of the States approval of P.153/2013 (Referenda: revised procedures) on 22nd January 2014, can the Chairman announce whether proposals regarding the October referendum will be brought to the States and, if so, when?”

20. H.M. Attorney General will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Would H.M. Attorney General inform the Assembly whether the Public Finance Legislation and/or States of Jersey Law and Standing Orders provide a statutory or legal authority which would enable or require the disclosure by the Minister for Planning and Environment of information which is presently held by him, including individual property addresses; information which presently falls within the Data Protection (Jersey) Law 2005, on publicly funded grants made by him to property owners and tenants to carry out energy conservation work to these properties, for which the address of the premises to which these works have been carried out, has been withheld by the Minister?”



21. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier–

“Given that Jersey Property Holdings do not train Education, Sport and Culture staff in relation to the management of asbestos, can the Minister say what ESC have done to train their employees?”

Can the Minister confirm that all Head Teachers, teachers and support staff in a school know where asbestos is located and the risk it poses if disturbed?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2014

1st Session 2014

June 17th

July 1st

July 14th p.m.

(Monday)

Health and Social Services

Housing

Planning and Environment

Economic Development

Chief Minister

Social Security

2nd Session 2014

September 9th

September 22nd

(Monday)

November 25th

December 9th

Transport and Technical Services

External Relations

Treasury and Resources

Education, Sport and Culture

Chief Minister

Home Affairs

Chief Minister

Health and Social Services