



STATES OF JERSEY ORDER PAPER

Tuesday 14th May 2013

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

C. DOCUMENTS PRESENTED OR LAID

Parish Rates: the States' liability (P.40/2013) – comments. P.40/2013.
Presented: 3rd May 2013. Com.
Comité des Connétables.

States of Jersey Prison Service: H.M. Prison La Moye – Annual Report 2012. R.41/2013.
Presented: 3rd May 2013.
Minister for Home Affairs.

Regulation of Care Law: proposals. R.42/2013.
Presented: 7th May 2013.
Minister for Health and Social Services.

Jersey Advisory and Conciliation Service: Board Members' Report and Financial R.43/2013.
Statements for the year ended 31st December 2012.
Presented: 7th May 2013.
Minister for Social Security.

Income Support: support for rental costs in the private sector. R.44/2013.
Presented: 8th May 2013.
Minister for Social Security.

Housing Transformation Programme Review (S.R.6/2013) – response of the S.R.6/2013.
Minister for Housing. Res.
To be presented: 10th May 2013.
Minister for Housing.

Draft Discrimination (Jersey) Law 201-. S.R.7/2013.
Presented: 3rd May 2013.
Health, Social Security and Housing Scrutiny Panel.

Draft Discrimination (Jersey) Law 201- (S.R.7/2013) – response of the Minister S.R.7/2013.
for Social Security. Res.
Presented: 7th May 2013.
Minister for Social Security.

D. NOTIFICATION OF LODGED PROPOSITIONS

Victoria and George V Cottage Homes (Repeal of General Principles) P.44/2013.
(P.44/2013): amendment. Amd.
Lodged: 3rd May 2013.
Deputy G.P. Southern of St. Helier.



E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions
(attached)

1. The Minister for Social Security will table an answer to a question asked by the Connétable of St. John regarding the housing component of income support and the impact of the housing transformation programme.
2. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding the impact of the increase in rents proposed in the housing transformation programme.
3. The Minister for Planning and Environment will table an answer to a question asked by the Connétable of St. John regarding assistance to the local fishing industry.
4. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding increases in rates of diabetes.
5. The Minister for Housing will table an answer to a question asked by Senator A. Breckon regarding the amount of rent per household that was paid to the Treasury in 2012.
6. The Minister for Treasury and Resources will table an answer to a question asked by Senator A. Breckon regarding the amount of rental income received by the Treasury.
7. The Minister for Planning and Environment will table an answer to a question asked by the Connétable of St. John regarding the listing of parish property.
8. The Chairman of the Comité des Connétables will table an answer to a question asked by the Deputy G.C.L. Baudains of St. Clement regarding the issuing of firearms licences.
9. The Chairman of the Environment Scrutiny Panel will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding a scrutiny review of the bus service.
10. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding an analysis of the States with 42 members.
11. The Minister for Social Security will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the effects of zero hours contracts.



12. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the Aarhus Convention.
13. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the weighted average for rent rises.
14. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the protection of tenants through income support.
15. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding population projections used when preparing the housing transformation programme.
16. H.M. Attorney General will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the Aarhus Convention.
17. The Chairman of the Environment Scrutiny Panel will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding a scrutiny review of the planning process.

(b) – Oral Questions

(120 minutes)

1. Deputy of St. Peter will ask the following question of the Minister for Health and Social Services–

“In light of the ongoing presence of full time residents at Eden House, could the Minister explain what help, if any, is being offered to families who would usually receive respite at the centre?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“Will the Minister release to members the updated/replacement Wilcox (Sector) report showing the impact on social rents of his proposal to increase levels from 69% of private sector rents currently to 90% on income support funding and on a weighted average increase in rents levels previously calculated at £39 weekly?”
3. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Minister for Housing –

“Would the Minister confirm the overall net financial impact to the States of the Housing Transformation Programme (as per P.33/2013) for 2015 including any increased costs in Social Security (including the impact upon the private sector as laid out in R.44/2013) and after taking account of any returns to Treasury from the new company and any other financial matters arising as a result of P.33?”
4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“Will the Minister confirm that individuals who qualify for carers’ allowance may not also claim their Old Age Pension and, if so, does the Minister consider this is appropriate?”



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

“In light of the advertisement seeking expressions of interest for the Sailors Rest Café on the New North Quay, can the Minister state who currently owns the building and the business and would he also give details of the terms of the current lease, the area of the site and details of any proposals for the café site?”

6. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister inform members whether the incinerator continues to suffer problems and, if so, identify those periods it has been out of action so far this year, and would he in particular state whether the combustion is so poor that grate ash has to be sifted in order to return unburnt material to the furnace?”

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

“Will the Chief Minister confirm that, in common with best practice, ‘gagging’ clauses will no longer be permitted in compromise agreements?”

8. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Further to concerns raised by a member of the public travelling on the same flight as the Assistant Chief Minister with responsibility for external relations, that he was able to identify details of both the victim and alleged abuser in the suspension of the Dean’s Commission case, does the Chief Minister stand by his statement that the only document being read was the Korris Report which does not contain names?”

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

“What evidence does the Minister have to support the statement in R.44/2013 that private sector rents are not “clustered” around income support levels and that raising the level of rental support to private sector IS claimants will not lead to further increases in private sector rent levels?”

10. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Minister for Housing –

“Would the Minister confirm the net increase in units of accommodation for social rental purposes arising to the new Housing Company as identified in P.33/2013 over the next 20 years?”

11. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –

“Is the Chief Minister confident that sub-contracting and zero-hour contracts will be captured by the new control of housing and work regulations?”

12. The Connétable of St. John will ask the following question of the Minister for Health and Social Services –

“Would the Minister state how many responses have been received to date in response to the consultation document on the draft Public Health and Safety (Dwellings) (Jersey) Law and, of these responses, how many have been supportive of the proposals and how many have been critical and would she further state who initiated the drafting of this legislation and what the cost has been so far?”



13. Deputy T.M. Pitman of St. Helier will ask the following question of the Chairman of Privileges and Procedures Committee –

“Given that Option B actually gained a total of only 8,190 votes of the total 16,749 cast and thus achieved only 48.8per cent of the vote, why is the Committee putting this option forward, having failed to achieve even 50 per cent of the vote?”

14. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister -

“Given the Chief Minister's assertion last year that “There is no wish or need to accommodate or to give encouragement to those who seek to involve Jersey in aggressive tax planning schemes” (Hansard 26.6.2012), will the Chief Minister carry out an investigation to ascertain the extent to which such schemes are used in the island, to confirm his position in this matter?”

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

1st question period – Minister for Transport and Technical Services

2nd question period – Minister for Home Affairs

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201-. Lodged: 19th March 2013. <i>Chief Minister.</i>	P.38/2013.
Draft Discrimination (Jersey) Law 201-. Lodged: 15th January 2013. <i>Minister for Social Security.</i>	P.6/2013.
Draft Discrimination (Jersey) Law 201- (P.6/2013) – amendment. Lodged: 30th April 2013. <i>Minister for Social Security.</i>	P.6/2013. Amd.
The Reform of Social Housing. Lodged: 4th March 2013. <i>Council of Ministers.</i>	P.33/2013.
The Reform of Social Housing (P.33/2013): amendment. Lodged: 16th April 2013. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.33/2013. Amd.
The Reform of Social Housing (P.33/2013): second amendment. Lodged: 16th April 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.33/2013. Amd.(2)
The Reform of Social Housing (P.33/2013): third amendment. Lodged: 16th April 2013. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.33/2013. Amd.(3)



The Reform of Social Housing (P.33/2013): fourth amendment. Lodged: 17th April 2013. <i>Deputy T.A. Vallois of St. Saviour.</i>	P.33/2013. Amd.(4)
The Reform of Social Housing (P.33/2013): fifth amendment. Lodged: 16th April 2013. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.33/2013. Amd.(5)
Parish Rates: the States' liability. Lodged: 20th March 2013. <i>Connétable of St. Helier.</i>	P.40/2013.
Parish Rates: the States' liability (P.40/2013) – comments. Presented: 3rd May 2013. <i>Comité des Connétables.</i>	P.40/2013. Com.
Draft Procureurs du Bien Public (Terms of Office) (Jersey) Law 201-. Lodged: 2nd April 2013. <i>Comité des Connétables.</i>	P.45/2013.
Manual Workers' Joint Council: Employers' Side membership. Lodged: 10th April 2013. <i>States Employment Board.</i>	P.49/2013.
Chief Minister and Chairman of Comité des Connétables: monthly meetings. Lodged: 16th April 2013. <i>Deputy M. Tadier of St. Brelade.</i>	P.51/2013.

M. ARRANGEMENT OF PUBLIC BUSINESS

4th June 2013

Committee of Inquiry: costs for local businesses. Lodged: 25th February 2013. <i>Senator A. Breckon.</i>	P.31/2013.
Victoria and George V Cottage Homes (Repeal of General Principles). Lodged: 28th March 2013. <i>Minister for Housing.</i>	P.44/2013.
Victoria and George V Cottage Homes (Repeal of General Principles) (P.44/2013): amendment. Lodged: 3rd May 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.44/2013. Amd.
Ratification of the Agreement between the Government of Jersey and the Government of the Isle of Man for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. <i>Chief Minister.</i>	P.46/2013.
Ratification of the Agreement between the Government of Jersey and the States of Guernsey for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. <i>Chief Minister.</i>	P.47/2013.



- Draft Unlawful Public Entertainments (Jersey) Regulations 201-. P.48/2013.
Lodged: 8th April 2013.
Minister for Home Affairs.
- Draft Taxation (Accounting Records) (Jersey) Regulations 201-. P.50/2013.
Lodged: 15th April 2013.
Chief Minister.
- Draft Control of Housing and Work (Business Licences – Annual Charges for Registered Persons) (Jersey) Regulations 201-. P.52/2013.
Lodged: 23rd April 2013.
Chief Minister.
- Draft Control of Housing and Work (Transitional and Consequential Provisions) (No. 2) (Jersey) Regulations 201-. P.53/2013.
Lodged: 23rd April 2013.
Chief Minister.
- Draft Education (Amendment No. 2) (Jersey) Law 201-. P.54/2013.
Lodged: 23rd April 2013.
Minister for Education, Sport and Culture.

18th June 2013

- Code of Conduct for Elected Members: Commissioner for Standards. P.4/2013.
Lodged: 14th January 2013.
Privileges and Procedures Committee.
- Approval of the Memorandum of Understanding between the Government of Jersey and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain and Northern Ireland relating to co-operation in tax matters. P.55/2013.
Lodged: 30th April 2013.
Chief Minister.
- Draft Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 201-. P.56/2013.
Lodged: 30th April 2013.
Chief Minister.

2nd July 2013

- Draft Succession to the Crown (Jersey) Law 201-. P.57/2013.
Lodged: 8th May 2013.
Chief Minister.

M.N. DE LA HAYE
Greffier of the States

8th May 2013

Note –

In accordance with the meeting dates fixed for 2013 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 15th and Thursday 16th May 2013.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Social Security will table an answer to the following question asked by the Connétable of St. John –

“Can the Minister advise Members the amount paid to claimants as the housing component of Income Support for 2009, 2010, 2011 and 2012?

Has the Minister considered the impact on the Income Support budget for the years ahead as a result of what may well be a considerable increase in publicly-owned rental properties and, if so, how much extra is projected to be required in 2014, 2015 and 2016.?

Does the Minister intend to request an increase in budget to meet this extra burden?

Is the Minister content for his department to transfer millions of its budget to support a body that may not be as politically accountable as the Housing Department is to the Housing Minister and Assembly today?”

2. The Minister for Social Security will table an answer to the following question asked by the Connétable of St. John –

“Has the Minister considered the potential adverse economic impacts of increasing social housing rentals, as proposed within the Minister for Housing’s Housing Transformation Programme document, at a time of recession?

Does the Minister accept that if the average increase in rents is £300 per month per household, then this could remove over £14 million of disposable income out of the economy on an annual basis?”

3. The Minister for Planning and Environment will table an answer to the following question asked by the Connétable of St. John –

“How much, if any, was given to the Island after the Amoco Cadiz oil disaster in 1978 to help the fishing industry and cover the costs of cleaning up the oil and is there any balance left in that fund?

If a balance is remaining, would the Minister consider using the funds to assist the Jersey fishing industry by training local crews or to support Jersey vessels applying for licences to fish in Guernsey waters?”

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

“What are the predicted increases in diabetes rates for the next five years and what additional resources, if any, will be allocated by the Department to deal with these predictions particularly in relation to prevention?”

5. The Minister for Housing will table an answer to the following question asked by Senator A. Breckon –

“Further to the content of the Report on the Social Housing Property Plan 2007-2016 produced in June 2007 by the Health, Social Security and Housing Panel which showed that each States tenanted



household paid by way of rents £4,531 per annum to the Treasury and funded directly not only the public sector but also the private sector rent rebates, can the Minister state how much rent per household was paid to the Treasury in 2012?”

6. The Minister for Treasury and Resources will table an answer to the following question asked by Senator A. Breckon –

“Can the Minister state how much was received by the Treasury from the Housing Department from rental income in the following years –

- (a) 2007
- (b) 2008
- (c) 2009
- (d) 2010
- (e) 2011
- (f) 2012”

7. The Minister for Planning and Environment will table an answer to the following question asked by the Connétable of St. John –

“Further to the receipt by Parishes of Planning and Building notices of intent to list items such as boundary stones, culverts, war memorials, Clos des Pauvres and so on, could members be told the cost to taxpayers in manpower, time and consultants in preparing the listing of such items and, given that Parishes already have a duty of care for these matters, whether this is an appropriate use of the Department’s budget?”

8. The Chairman of the Comité des Connétables will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Chairman advise:

- a) the current time taken to process the renewal of a firearms licence together with a breakdown of the time taken at each stage;
- b) what level of insurance cover is currently required, who determined this level to be appropriate and would he provide details of how this figure was calculated ; and,
- c) what percentage, if any, of firearms certificate holders are usually consulted regarding insurance and similar issues?”

9. The Chairman of the Environment Scrutiny Panel will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Chairman advise whether his Panel is reviewing, or is about to review the bus service and, if so, what is the approximate timetable proposed for this review?”

10. The Chairman of the Privileges and Procedures will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Further to his answer to my oral question of 30th April 2013, would the Chairman agree to produce the Committee’s analysis of how the States may function if reduced to 42 members concurrent with any Proposition the Committee may lodge to implement the result of the referendum?”



11. The Minister for Social Security will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Has the Minister or his Department carried out research into the effect of zero hour contracts on the working population together with the effects they have, if any, on income support and other benefits they administer?”

12. The Minister for Planning and Environment will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister inform the Assembly of his detailed assessment of the requirements of the United Nations Economic Commission for Europe (UNECE) Aarhus Convention on ‘Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters’ and their applicability to Jersey; together with details of his progress in considering the adoption of this Convention as notified to the Assembly in the Department of the Environmental Report 2010 (R.126/2011)?”

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

“Notwithstanding his answer to my written question No. 7600 of 30th April 2013, will the Minister provide the figures on which he bases the £11.89 for the weighted average for rent rises and will he further produce a table showing rents for bedsits, 1, 2 and 3-bed flats and houses and the weighted average at 69% (current average), 80%, 90% and 100% of current market rents along with the current fair rent levels for these properties?”

14. 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 examine the figures given in P.33/2012 (Amd 2) (The Reform of Social Housing), guarantee the protection of tenants through Income Support (IS) from the effects of the projected Housing Transformation Programme rent rises in the years to 2023, and inform members what the full impact of that protection will be on the sum required for the rental component of IS will be?

Will he further guarantee this protection beyond 2023 over the full 30-year term of the plan and state what the final sum for the rental component will be?”

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

“Will the Minister confirm to members that, in drafting the Housing Transformation Programme, advice was not sought from the Head of the Statistics Unit over the impact of population projections on potential demand for housing and, in particular, social rental housing over the 30-year term of the plan, and, if so, would he explain why he did not do so?

Will he further state why the plan contains no estimates of the population it is designed to cater for and there are only 4 paragraphs on page 11 of R.15/2013 (Full Business Case) relating to population?

Does the Minister consider that the failure to address such issues is a serious weakness in the plan, and, if not, why not?”



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

“Does the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters known as the Aarhus Convention, which was ratified by the UK in May 2005 according to their authorities to provide ‘environmental democracy’, have any status in law in Jersey and do any of the requirements of this convention have effect in Jersey legislation in whole or part, in particular;

- (1) a right of access to review procedures to challenge governmental decision and interactions between the public and the government Ministers on matters concerning the local, national and trans-boundary environment;
- (2) access to “fair, equitable, timely and not prohibitively expensive” procedures to be available for the public to challenge decisions relating to the environment, made by the Minister for Planning and Environment;
- (3) procedures which enable the Royal Court in appropriate circumstances, to make the equivalent to a UK Protective Costs Order in Judicial Review proceedings brought entirely in the public interest by third parties or Non Governmental Organisations in challenging a decision of the Minister for Planning and Environment on environmental grounds?”

17. The Chairman of the Environment Scrutiny Panel will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Chairman update members on his review into Planning issues?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2013

1st Session 2013

June 4th	Treasury and Resources	Chief Minister
June 18th	Education, Sport and Culture	Health and Social Services
July 2nd	Economic Development	Chief Minister
July 16th	Housing	Planning and Environment

2nd Session 2013

September 10th	Social Security	Chief Minister
September 24th	Transport and Technical Services	Home Affairs
October 8th	Treasury and Resources	Chief Minister
October 22nd	Education, Sport and Culture	Health and Social Services
November 5th	Economic Development	Chief Minister
November 19th	Housing	Planning and Environment
December 3rd	Social Security	Chief Minister
December 10th	Transport and Technical Services	Home Affairs