



# STATES OF JERSEY ORDER PAPER

Tuesday 24th September 2013  
CONSOLIDATED

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

- \* Road Traffic (Public Parking Places) (Amendment No. 9) (Jersey) Order 2013. R&O.126/2013.  
Minister for Transport and Technical Services.
- \* Road Racing (Motor Vehicle Rally) (No. 2) (Jersey) Order 2013. R&O.127/2013.  
Minister for Transport and Technical Services.

## C. DOCUMENTS PRESENTED OR LAID

- \* Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors P.90/2013.  
(P.90/2013) – comments. Com.  
Presented: 23rd September 2013.  
*Council of Ministers.*
- Fiscal Policy Panel: re-appointment of members. R.110/2013.  
Presented: 17th September 2013.  
*Minister for Treasury and Resources.*
- States of Jersey: Half-Year Corporate Report – June 2013. R.111/2013.  
Presented: 18th September 2013.  
*Minister for Treasury and Resources.*
- States of Jersey Law 2005: delegation of functions – Social Security – revised R.112/2013.  
delegation of financial authorities September 2013.  
Presented: 19th September 2013.  
*Minister for Social Security.*
- States of Jersey Law 2005: delegation of functions – Health Care (Registration) R.113/2013.  
(Jersey) Law 1995 – extension of ministerial functions to the Medical Officer of  
Health.  
Presented: 19th September 2013.  
*Minister for Health and Social Services.*
- \* Medium Term Financial Plan Compromises and Central Growth Allocation 2014. R.114/2013.  
Presented: 23rd September 2013.  
*Minister for Treasury and Resources.*
- \* Residential land availability at January 2013. R.115/2013.  
Presented: 24th September 2013.  
*Minister for Planning and Environment.*

## D. NOTIFICATION OF LODGED PROPOSITIONS

- Zero-hours contracts: regulation (P.100/2013) – amendment. P.100/2013.  
Lodged: 17th September 2013. Amd.  
*Minister for Social Security.*



- \* States of Jersey Complaints Panel: appointment of members (P.106/2013) – amendment. P.106/2013.  
Lodged: 23rd September 2013. Amd.  
*Privileges and Procedures Committee.*
  
- Public Elections: amendments to legislation and administration. P.110/2013.  
Lodged: 18th September 2013.  
*Privileges and Procedures Committee.*
  
- Income Support Medical Appeal Tribunal: re-appointment of members. P.111/2013.  
Lodged: 18th September 2013.  
*Minister for Social Security.*
  
- \* Jersey Financial Services Commission: re-appointment of Commissioner. P.112/2013.  
Lodged: 23rd September 2013.  
*Chief Minister.*
  
- \* Draft Community Provisions (Welfare of Animals During Transport) (Jersey) Regulations 201-. P.113/2013.  
Lodged: 24th September 2013.  
*Minister for Planning and Environment.*
  
- \* Draft Aquatic Resources (Jersey) Law 201-. P.114/2013.  
Lodged: 24th September 2013.  
*Minister for Economic Development.*

## **E. WITHDRAWAL OF LODGED PROPOSITIONS**

In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

- Draft Criminal Justice (Mandatory Minimum Periods of Actual Imprisonment) (Amendment) (Jersey) Law 201-. P.84/2013.  
Lodged: 2nd July 2013.  
*Chief Minister.*

## **F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

Election of Minister for External Relations. The Chief Minister has given notice in accordance with Standing Order 117(2) that he will nominate Senator Sir Philip Bailhache for this ministerial office (see Note).

Resignation of the Deputy of St. Peter as a member of the Privileges and Procedures Committee (as a representative of the Chairmen's Committee).

Nomination of Senator Sarah Craig Ferguson as a member of the Privileges and Procedures Committee (as a representative of the Chairmen's Committee).

Notification by the Chairman of the Corporate Services Scrutiny Panel in accordance with Standing Order 125(1) of a reduction in the number of members of that panel.

Election of a Member and an Associate Member to represent the States of Jersey on the British-Irish Parliamentary Assembly (see Note).

## **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 Deputy G.P. Southern of St. Helier regarding the second determinations over decisions on Income Support.
2. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding the annual rental from Liberty Wharf properties.
3. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding Esplanade Quarter and Harcourt.
4. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding the financial and planning details of the Esplanade Quarter.
5. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the performance record of Liberty Bus in relation to complaints and staffing issues.
6. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the benefits of Ragwort.
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 alternations to La Route du Fort and St. Clement's Road junction.
8. 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 operation of the Energy from Waste plant.
9. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding underspends and negotiations for public sector pay.
10. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the publication of a claimant friendly version of the Income Support calculator.
11. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding breast feeding and maternity leave.

### (b) – Oral Questions

(120 minutes)

1. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“Will the Minister inform the Assembly whether he condones the present practice of some schools charging their former pupils fees for providing school attendance certificates required for residence cards and whether he considers the arrangements made to assist the Social Security Department to issue these cards to school leavers to be satisfactory, and will he state whether he is proposing any improvements to avoid undue bureaucracy in future?”



2. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Would the Minister, as representative of the shareholder, inform members when JT intends to announce the wholesale rental structure that will accompany the move to fibre optic and explain why there has been a delay?”

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

“Given that one of the largest engineering firms in the world stated that it would have built a new incinerator for £66m turnkey (£40m less than the States have paid for the current plant ) would the Minister advise whether he now regrets that his department told that firm not to bother to tender at the expression of interest stage?”

4. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Planning and Environment –

“Would the Minister inform members of the date of the meeting which took place between himself and representatives of the Co-op which he referred to on 10th September and would he also state when he made the decision not to take part in determining the planning application?”

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

“Will Income Support recipients be caught by proposals to sanction those leaving employment ‘without good reason’ if that employment was subject to a zero-hours contract which had delivered variable or no income in the first two weeks and does the Minister have plans to deliver support for those who are subject to very variable earnings on zero-hours contracts on a more timely basis than the 5-week cycle suggested previously?”

6. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Will the Minister say what plans, if any, he has to improve access to Fort Regent?”

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

“Further to his answer of 10th September 2013 and his subsequent media release will the Chief Minister clarify for the Assembly the full and complete costs arising from the secret court proceedings against former Senator Stuart Syvret; and will he clarify what percentages of the costs, if any, were paid by the four individuals themselves?”

8. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“Will the Minister disclose the sites that are being considered for the new Les Quennevais School and set out the proposed timetable for the project including its consideration by the Planning system as required by the Island Plan?”

9. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Chairman of the Public Accounts Committee –

“Does the Committee intend to undertake a study of the fibre optic project undertaken by JT and, if so, when will this commence?”



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

“Will the Minister update members on the figures he gave on 26th June 2012 on the numbers of under and overpayments of Income Support, which at the time he stated were “expected to increase as a result of the continuing economic downturn?”

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

“Would the Minister explain why his department is not re-directing traffic around the north and east of Mount Bingham in order to alleviate traffic congestion caused by the recent rock fall?”

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

“Following his answer of 10th September in which he stated that a single instance of the Superior Number failing to exercise its jurisdiction to act on inappropriate standards of honesty, integrity and/or behaviour of a Jurat would not cause the UK authorities to intervene will the Attorney General clarify whether this effective lack of challenge to higher authority is compliant with Article 6 of the European Convention on Human Rights?”

**(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**

Organ Donors' Register. P.89/2013.  
Lodged: 24th July 2013.  
*Deputy R.G. Le Hérissier of St. Saviour.*

Organ Donors' Register (P.89/2013): comments. P.89/2013.  
Presented: 9th September 2013. Com.  
*Minister for Health and Social Services.*

Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors. P.90/2013.  
Lodged: 26th July 2013.  
*Senator A. Breckon.*

\* Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors P.90/2013.  
(P.90/2013) – comments. Com.  
Presented: 23rd September 2013.  
*Council of Ministers.*

Justice policy and resources: responsibility. P.92/2013.  
Lodged: 31st July 2013.  
*Chief Minister.*



Draft Motor Vehicle Registration (Amendment No. 4) (Jersey) Law 201-. P.95/2013.  
Lodged: 9th August 2013.  
*Minister for Transport and Technical Services.*

Draft Security Interests (Amendment of Law) (No. 2) (Jersey) Regulations 201-. P.96/2013.  
Lodged: 15th August 2013. (re-issue)  
*Chief Minister.*

Zero-hours contracts: regulation. P.100/2013.  
Lodged: 27th August 2013.  
*Deputy G.P. Southern of St. Helier.*

Zero-hours contracts: regulation (P.100/2013) – amendment. P.100/2013.  
Lodged: 17th September 2013. Amd.  
*Minister for Social Security.*

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **8th October 2013**

Chief Minister and Chairman of Comité des Connétables: monthly meetings. P.51/2013.  
Lodged: 16th April 2013.  
*Deputy M. Tadier of St. Brelade.*

Chief Minister and Chairman of Comité des Connétables: monthly meetings P.51/2013.  
(P.51/2013) – comments. Com.  
Presented: 13th May 2013.  
*Comité des Connétables.*

Chief Minister and Chairman of Comité des Connétables: monthly meetings P.51/2013.  
(P.51/2013) – comments. Com.(2).  
Presented: 13th May 2013.  
*Council of Ministers.*

Public Elections: Single Transferable Voting System (STV) and an Alternative P.86/2013.  
Voting System (AV).  
Lodged: 17th July 2013.  
*Deputy M. Tadier of St. Brelade.*

Public Elections: Single Transferable Voting System (STV) and an Alternative P.86/2013.  
Voting System (AV) (P.86/2013) – comments. Com.  
Presented: 4th September 2013.  
*Comité des Connétables.*

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 6) (Jersey) P.97/2013.  
Regulations 201-.  
Lodged: 16th August 2013.  
*Minister for Economic Development.*

Draft Income Support (Miscellaneous Provisions) (Jersey) Regulations 201-. P.101/2013.  
Lodged: 27th August 2013.  
*Minister for Social Security.*



Committee of Inquiry: planning applications by the Channel Islands Co-operative Society Ltd. Lodged: 28th August 2013. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.102/2013.
Jersey Law Commission: appointment of Commissioner. Lodged: 3rd September 2013. <i>Chief Minister.</i>	P.103/2013.
The Law Society of Jersey Disciplinary Panel: appointment of lay members. Lodged: 3rd September 2013. <i>Chief Minister.</i>	P.104/2013.
States of Jersey Complaints Panel: appointment of members. Lodged: 9th September 2013. <i>Privileges and Procedures Committee.</i>	P.106/2013.
* States of Jersey Complaints Panel: appointment of members (P.106/2013) – amendment. Lodged: 23rd September 2013. <i>Privileges and Procedures Committee.</i>	P.106/2013. Amd.
Jersey Mutual Insurance Society Incorporated: alteration of fundamental rules – petition. Lodged: 10th September 2013. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.108/2013.
Law Officers’ Department: revised disciplinary process. Lodged: 10th September 2013. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.109/2013.
The Chairman of the Privileges and Procedures Committee will propose, in accordance with Standing Order 89(2)(c), that the States sit ‘in Committee’ on 8th October 2013 to discuss the following report –	
Machinery of Government Review Sub-Committee: Final Report. Presented: 9th September 2013. <i>Privileges and Procedures Committee.</i>	R.105/2013.
<b><u>22nd October 2013</u></b>	
Committee of Inquiry: costs for local businesses. Lodged: 27th June 2013. <i>Senator A. Breckon.</i>	P.82/2013.
Public Sector Reform. Lodged: 26th July 2013. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.91/2013.
Composition and election of the States Assembly: reform – proposal 1. Lodged: 2nd August 2013. <i>Senator P.F.C. Ozouf.</i>	P.93/2013.



Composition and election of the States Assembly: reform – proposals 1, 2 and 3 (P.93/2013, P.94/2013 and P.98/2013) – comments. Presented: 10th September 2013. <i>Privileges and Procedures Committee.</i>	P.93/2013. P.94/2013. P.98/2013. Com.
Composition and election of the States Assembly: reform – proposal 1 (P.93/2013) – amendment. Lodged: 3rd September 2013. <i>Senator L.J. Farnham.</i>	P.93/2013. Amd.
Composition and election of the States Assembly: reform – proposal 2. Lodged: 2nd August 2013. <i>Deputy T.M. Pitman of St. Helier.</i>	P.94/2013.
Composition and election of the States Assembly: reform – proposal 2 (P.94/2013) – amendment. Lodged: 3rd September 2013. <i>Senator L.J. Farnham.</i>	P.94/2013. Amd.
Composition and election of the States Assembly: reform – proposal 3. Lodged: 19th August 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.98/2013.
Draft Public Employees (Contributory Retirement Scheme) (Commutation of Small Pensions) (Amendments) (Jersey) Regulations 201-. Lodged: 6th September 2013. <i>States Employment Board.</i>	P.105/2013.
Commissioner for Standards: establishment. Lodged: 9th September 2013. <i>Privileges and Procedures Committee.</i>	P.107/2013.
Income Support Medical Appeal Tribunal: re-appointment of members. Lodged: 18th September 2013. <i>Minister for Social Security.</i>	P.111/2013.
* Jersey Financial Services Commission: re-appointment of Commissioner. Lodged: 23rd September 2013. <i>Chief Minister.</i>	P.112/2013.
<b><u>5th November 2013</u></b>	
Public Elections: amendments to legislation and administration. Lodged: 18th September 2013. <i>Privileges and Procedures Committee.</i>	P.110/2013.
* Draft Community Provisions (Welfare of Animals During Transport) (Jersey) Regulations 201-. Lodged: 24th September 2013. <i>Minister for Planning and Environment.</i>	P.113/2013.
* Draft Aquatic Resources (Jersey) Law 201-. Lodged: 24th September 2013. <i>Minister for Economic Development.</i>	P.114/2013.





**19th November 2013**

Long-Term Care Scheme.  
Lodged: 22nd August 2013.  
*Minister for Social Security.*

P.99/2013.

**L-M. HART**  
**Acting Greffier of the States**

23rd September 2013

**Note – An asterix \* in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 19th September 2013, or an item which has been moved.**

**Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

**R&O.126/2013.**

This Order amends the Road Traffic (Public Parking Places) (Jersey) Order 2006 in respect of Ann Place Car Park. Currently the maximum parking period for that car park is a continuous period of 7 days. This amendment restricts the maximum parking period to 4 hours in any one visit on Saturdays. The maximum parking period for the period Sunday to Friday inclusive is a continuous period of 6 days.

The Order was made on 20th September 2013 and comes into force on 4th October 2013.

**R&O.127/2013.**

This Order allows the Jersey Motor Cycle and Light Car Club to use public roads and parts of roads as courses for motor races, and to close those roads and parts of roads to general traffic, between specified times on Friday 11th October 2013 and Saturday 12th October 2013.

The detail of each of the 8 courses (affecting a total of 8 Parishes) is given in the Schedule to the Order.

The Order was made on 20th September 2013 and came into force on being made.



## **APPOINTMENTS**

(See Item F)

### **ELECTION OF MINISTER FOR EXTERNAL RELATIONS**

The Chief Minister has, in accordance with Standing Order 117(2), notified the Greffier of the States that he will nominate Senator Sir Philip Bailhache for this ministerial office. At the meeting the Presiding Officer will invite the Chief Minister to make this nomination and he will then invite members to nominate alternative candidates for appointment to the position of Minister for External Relations. Each nomination must be seconded.

If alternative candidates for appointment are nominated, the Presiding Officer will invite each candidate to speak for up to 10 minutes followed by a 20 minute question period. In accordance with Standing Order 117(6) the candidates will speak in the order in which they have been nominated.

After the candidates have spoken and been questioned an open ballot or ballots will be held and once a candidate has obtained a majority of votes cast in a ballot he or she will be appointed as Minister for External Relations. An open ballot between only 2 candidates will be conducted using the electronic voting system.

After the announcement of the result of each ballot any member may request the Greffier of the States to read out details of the way in which each member voted in the open ballot.

### **BRITISH-IRISH PARLIAMENTARY ASSEMBLY**

Following the death of the Connétable of Grouville it is necessary to appoint a new Member to represent the States of Jersey on the British-Irish Parliamentary Assembly (BIPA). As part of the selection process an Associate (reserve) Member will also be chosen (Senator Alan Breckon is currently the Associate Member). The Associate Member is invited to attend meetings of BIPA if the Member is unavailable.

Nominations will be invited from the floor at this meeting and each nomination will need to be seconded (Standing Order 102). If there are more than 2 nominations made a secret ballot will be held in which each member will be able to cast up to 2 votes and the member receiving the largest number of votes will be elected as the Jersey Member and the member receiving the second largest number of votes will be selected as the Associate Member.

If only 2 candidates are nominated a secret ballot will be held in which each member will be able to cast one vote and once again the member receiving the largest number of votes will be elected as the Jersey Member and the member receiving the second largest number of votes will be selected as the Associate Member.

Those appointed will remain in office until the 2014 elections. The next meeting of BIPA to be attended by the Jersey Member will be the 47th Plenary conference which will be held in Church House Conference Centre, Dean's Yard, Westminster, London on Monday 21st and Tuesday 22nd October 2013.