

STATES OF JERSEY ORDER PAPER

Tuesday, 17th July 2001

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Battle of Flowers (Jersey) Order 2001. R & O 104/2001.

Road Traffic (Trinity) (Amendment No. 3) (Jersey) Order 2001. R & O 105/2001.

Public Services Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of the Connétable of St. Peter as a member of the Sport, Leisure and Recreation Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Commission Amicale: visit of States members to Saint Lô - 27th and 28th April 2001. R.C.25/2001.

Commission Amicale.

Commission Amicale: report for 2000. R.C.26/2001.

Commission Amicale.

Draft Marriage and Civil Status (Jersey) Law 200-(P.89/2001): comments. P.89/2001.
Com.

Finance and Economics Committee.

Data Protection - report for 2000.
Finance and Economics Committee.

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

(b) Notification of Standing Order decisions

(c) Notification of acceptance of tenders

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

50 La Colomberie and 1 Little Green Street, P.110/2001.
St. Helier: conditions of sale.
Public Services Committee.

Draft Standard Chartered Bank (CI) Limited P.111/2001.
(Jersey) Law 200-
Deputy of St. Mary.

Draft Gambling (Channel Islands Lottery) P.112/2001.
(Amendment No. 4) (Jersey) Regulations 200.
Gambling Control Committee.

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

Trinity House, Bath Street, St. Helier: lease of P.106/2001.
office accommodation for the Employment
Tribunal.
Lodged: 10th July 2001.
Employment and Social Security Committee.

Financial assistance for the cost of ophthalmic and P.107/2001.
dental care for persons aged over 65: revisions to
proposed scheme.
Lodged: 10th July 2001.
Employment and Social Security Committee.

Draft Marriage and Civil Status (Jersey) Law 200- P.108/2001.
(P.89/2001): amendments.
Lodged: 10th July 2001.
Tourism Committee.

Draft Telecommunications (Jersey) Law 200- P.109/2001.
(P.103/2001): amendment.
Lodged: 10th July 2001.
Deputy J.L. Dorey of St. Helier.

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters be considered at their next meeting on 31st July 2001 -

Field 1114, La Grande Route de St. Jean, St. Helier: sale of organically grown food.
Lodged: 7th November 2000.
Senator P.V.F. Le Claire.

P.192/2000.

Field 1114, La Grande Route de St. Jean, St. Helier: sale of organically grown food (P.192/2000): report.
Presented: 24th April 2001.
Planning and Environment Committee.

P.192/2000.
Rpt.

Hautlieu School: approval of drawings.
Lodged: 29th May 2001 (*consideration commenced on 3rd July 2001 and referred back to the Education Committee*).
Education Committee.

P.83/2001.

Hautlieu School: approval of drawings: (P.83/2001) - comments. Presented: 19th June 2001. <i>Finance and Economics Committee.</i>	P.83/2001. Com.
Draft Marriage and Civil Status (Jersey) Law 200- . Lodged: 19th June 2001. <i>Etat Civil Committee.</i>	P.89/2001.
Draft Marriage and Civil Status (Jersey) Law 200- (P.89/2001): comments. Presented: 17th July 2001. <i>Finance and Economics Committee.</i>	P.89/2001. Com.
Draft Marriage and Civil Status (Jersey) Law 200- (P.89/2001): amendments. Lodged: 10th July 2001. <i>Tourism Committee.</i>	P.108/2001.
Draft Telecommunications (Jersey) Law 200- Lodged: 3rd July 2001. <i>Industries Committee.</i>	P.103/2001.
Draft Telecommunications (Jersey) Law 200- (P.103/2001): amendment. Lodged: 10th July 2001. <i>Deputy J.L. Dorey of St. Helier.</i>	P.109/2001.
Bus strategy. Lodged: 3rd July 2001 and referred to the Finance and Economics Committee. <i>Public Services Committee.</i>	P.104/2001.
Draft Motor Traffic (No.7) (Jersey) Regulations 200- Lodged: 3rd July 2001. <i>Public Services Committee.</i>	P.105/2001.
Trinity House, Bath Street, St. Helier: lease of office accommodation for the Employment Tribunal. Lodged: 10th July 2001. <i>Employment and Social Security Committee.</i>	P.106/2001.

Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: revisions to proposed scheme. P.107/2001.
Lodged: 10th July 2001.
Employment and Social Security Committee.

50 La Colomberie and 1 Little Green Street, St. Helier: conditions of sale. P.110/2001.
Lodged: 17th July 2001.
Public Services Committee.

Draft Standard Chartered Bank (CI) Limited (Jersey) Law 200-. P.111/2001.
Lodged: 17th July 2001.
Deputy of St. Mary.

Draft Gambling (Channel Islands Lottery) (Amendment No. 4) (Jersey) Regulations 200. P.112/2001.
Lodged: 17th July 2001.
Gambling Control Committee.

In accordance with Standing Order 17(6) the following Papers are deemed to be withdrawn -

Income tax legislation: salary deduction. P.108/2000.
Lodged: 4th July 2000.
Senator P.V.F. Le Claire.

François Scornet: commemorative statue. P.110/2000.
Lodged: 4th July 2000.
Senator P.V.F. Le Claire.

The President of the Public Services Committee will seek leave to withdraw the following matter, which had been set down for consideration at today's meeting, a revised report and proposition having been lodged 'au Greffe' at the present meeting -

50 La Colomberie and 1 Little Green Street, P.102/2001.
St. Helier: conditions of sale.
Lodged: 3rd July 2001.
Public Services Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy P.F.C. Ozouf of St. Helier will ask questions of the President of the Agriculture and Fisheries Committee regarding its budget, proposed strategy and discussions with tomato growers.

Deputy P.F.C. Ozouf of St. Helier will ask questions of the President of the Housing Committee regarding the price of dwelling units on the Woodville site and shared equity.

Senator P.V.F. Le Claire will ask a question of the President of the Housing Committee regarding the progress of the Human Rights audit of its legislation and policies.

Deputy P.F.C. Ozouf of St. Helier will ask questions of the President of the Home Affairs Committee regarding the policy in relation to granting work permits, and numbers of applications granted.

Senator P.V.F. Le Claire will ask a question of the President of the Home Affairs Committee regarding the compliance with the Human Rights (Jersey) Law 2000 of the policy relating to work permits.

The Deputy of St. John will ask questions of the President of the Public Services Committee regarding a service level agreement with Jersey Bus.

Deputy R.G. Le Hérissier of St. Saviour will ask questions of the Public Services Committee regarding the appointment of a consultant to review a subsidy to Jersey Bus.

Deputy A.S. Crowcroft of St. Helier will ask a question of the Finance and Economics Committee regarding the Cultural Strategy.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Etat Civil will make a statement regarding Census forms that have not been returned.

K. PUBLIC BUSINESS

Draft Companies (Amendment No. 6) (Jersey) P.84/2001.
Law 200- (re-issue)
Lodged: 29th May 2001.
Finance and Economics Committee.

Draft Companies (Amendment No. 6) (Jersey)
Law 200- (P.84/2001): amendment.
Presented: 17th July 2001.
Finance and Economics Committee.
Attached.

Appointments made by the States: review of P.85/2001.
procedures.
Lodged: 5th June 2001.
Deputy R.G. Le Hérissier of St. Saviour.

Field 1418, St. Saviour, Trinity: development in the Green Zone. Lodged: 5th June 2001. <i>Planning and Environment Committee.</i>	P.86/2001.
Draft Royal Bank of Canada (Jersey) Law 2000 (Appointed Day) Act 200-. Lodged: 3rd July 2001. <i>Finance and Economics Committee.</i>	P.91/2001.
States Audit Commission: appointment of Chairman. Lodged: 3rd July 2001. <i>Finance and Economics Committee.</i>	P.92/2001.
Nos. 8, 12 and 12A Lemprière Street, St. Helier: proposed sale to CTJ Trust. Lodged: 3rd July 2001. <i>Housing Committee.</i>	P.93/2001.
Lease of accommodation at Jersey Airport Freight Terminal to Hi-Speed Freight Limited. Lodged: 3rd July 2001. <i>Harbours and Airport Committee.</i>	P.94/2001.
Langford Sports Centre, St. Saviour: approval of drawings. Lodged: 3rd July 2001. <i>Education Committee.</i>	P.95/2001.
Field 764, St. Peter: - purchase. Lodged: 3rd July 2001. <i>Harbours and Airport Committee.</i>	P.96/2001.
Draft Customary Law Amendment (Amendment) (Jersey) Law 200-. Lodged: 3rd July 2001. <i>Legislation Committee.</i>	P.98/2001.

Drury Lane, St. Helier: acquisition of roadway. Lodged: 3rd July 2001. <i>Planning and Environment Committee.</i>	P.99/2001.
Adoption (Amendment No. 4) (Jersey) Law 1999 - (Appointed Day) Act 200-. Lodged: 3rd July 2001. <i>Health and Social Services Committee.</i>	P.100/2001.
Projet de Loi (200-) (Amendement No. 2) sur les matières explosives. Logé le 3 juillet 2001. <i>Comité de Législation.</i>	P.101/2001.

C.M. NEWCOMBE

Greffier of the States

11th July 2001

Explanatory Note regarding subordinate legislation tabled at this meeting.

R & O 104/2001

This Order provides for the closing of public roads and places to enable the holding of the Jersey Battle of Flowers, that is -

- (a) the Battle of Flowers proper on Thursday, 9th August 2001; and
- (b) the Moonlight Parade on Friday, 10th August 2001.

The Order also sets out certain conditions relating to these closures.

The Order was made on 9th July 2001 and came into force forthwith.

R & O 105/2001

The purpose of this Order is to revise the extent of that part of La Rue du Mont Pellier in Trinity on which traffic is allowed to travel in one direction only.

The Order was made on 9th July 2001 and came into force on 16th July 2001.

QUESTION PAPER

(See Item G)

Deputy P.F.C. Ozouf of St. Helier will ask the following questions of the President of the Agriculture and Fisheries Committee -

- “1. The President stated in answer to questions on 3rd July 2001 that he had recently met with the Presidents of the Policy and Resources Committee and the Finance and Economics Committee. Could he inform the Assembly what the budget was that he discussed at that meeting, and what the factors were which resulted in the draft strategy report of the Committee being delayed?
2. Would the President give details of the meeting he held recently with the tomato growers, and what action he intends to take as a result of that meeting?”

Deputy P.F.C. Ozouf of St. Helier will ask the following questions of the President of the Housing Committee -

- “1. Would the President inform the Assembly of the prices the Committee intends setting for the housing units on the Woodville site, and explain the reasoning behind the proposed pricing structure?
2. Would the President inform the Assembly of the background and progress made to draft legislation relating to shared-equity?”

Senator P.V.F. Le Claire will ask the following question of the President of the Housing Committee -

“On 16th January 2001 the President informed the Assembly that the Housing Committee was undertaking an audit of all its legislation and policies before the coming into force of the Human Rights (Jersey) Law 2000. Would the President inform the Assembly whether the Committee has completed the audit and, if so, has the Committee received confirmation that the power to grant consents under Regulation 1(1)(k) is compatible with the Convention Rights set out in the Law?”

Deputy P.F.C. Ozouf of St. Helier will ask the following questions of the President of the Home Affairs Committee -

- “1. Could the President inform the Assembly -
 - (a) how many work permit applications have been received, approved and sponsored during the last 12 months by the Jersey Farmers' Union, Jersey Hospitality Association and others?
 - (b) how many applications have been received, then withdrawn?
2. Would the President -

- (a) explain the matters which the Committee has regard to in considering work permit applications?
- (b) inform the Assembly when the Committee considered and approved the issue of skilled versus non-skilled labour in relation to work permit policy?"

Senator P.V.F. Le Claire will ask the following question of the President of the Home Affairs Committee -

“The stated policy of the Home Affairs Committee is that of not considering applications for work permits for unskilled labour outside of the tourism and agriculture industries. Would the President inform members if the Committee has received legal advice on whether this policy would withstand a challenge under the European Convention of Human Rights (ECHR) by employers in other sectors that require unskilled labour and, if the Committee has not yet sought such advice, would the President undertake to do so?”

The Deputy of St. John will ask questions of the Public Services Committee regarding a service level agreement with Jersey Bus -

- “1. Would the President advise members -
 - (a) of the number of meetings held between Jersey Bus and the Public Services Committee and/or Department for the two years up to 6th July 2001 to discuss a Services Level Agreement and the dates of those meetings?
 - (b) over the two year period up to 6th July 2001, who has represented the Public Services Committee and/or Department in discussions on a Service Level Agreement with Jersey Bus and what expertise those persons held in transport matters?
- 2. As the current bus licence expires on 30th September 2001, what steps has the Committee put in place for a bus service after that date?
- 3. As significant increases in costs for school transport have taken place since this contract was awarded to Jersey Bus and increases are likely to take place over the next few months will the Public Services Committee fund these, and if so, which vote will the money come from?”

Deputy R.G. Le Hérisssier of St. Saviour will ask the following questions of the President of the President of the Public Services Committee -

- “1. Would the President -
 - (a) inform members of the actual mandate given to financial consultant who gave advice to the Committee, with regard to paying a subsidy for the summer period, to Jersey Bus?
 - (b) advise members of the credentials of the financial consultant in the field of public transport financing?

- (c) identify the assumptions which supported the recommendation of the financial consultant that the rate of return on capital sought by Jersey Bus was unacceptable?
 - (d) inform members of the totality of the information sought by the financial consultant in respect of the subsidy application by Jersey Bus?
2. To what extent, if any, did the information sought differ from that sought, for a similar process, in the United Kingdom?
 3. Is the President satisfied that the decision to refuse a subsidy was based on a fully transparent, justifiable and rigorous process?"

Deputy A.S. Crowcroft of St. Helier will ask the following question of the President of the Finance and Economics Committee -

“Would the President advise members what progress has been made in taking forward the work of the Cultural Strategy carried out by the Burns Owen partnership, and what further steps is the Committee proposing to take to ensure the Island enjoys the benefits of its cultural heritage and its cultural diversity?”

DRAFT COMPANIES (AMENDMENT No. 6) (JERSEY) LAW 200- (P.84/2001 (RE-ISSUE)): AMENDMENTS

PAGE 143, NEW ARTICLE 83 -

Insert after Article 82 the following new Article -

“ARTICLE 83

In Article 181 (2)(b) of the principal Law, for the words ‘the belief referred to in Article 56’ substitute the words ‘the appropriate belief referred to in Article 55’ ”.

Renumber the subsequent Articles accordingly.

FINANCE AND ECONOMICS COMMITTEE

Report

This amendment corrects a drafting error. It does not involve any change of substance and there are no financial or manpower implications.